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VOL. XLV

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Volume XLV of the *Hebrew Union College Annual* is the seventeenth number of this series to be subventioned by The Neumann Memorial Publication Fund of the Hebrew Union College and is intended to serve as a memorial to Abraham and Emma Neumann, under the terms of the will of their son, Sidney Neumann of Phildelphia, who died at the age of seventy-nine on February 5, 1956.

Sidney Neumann was a modest, self-effacing son of the House of Israel. A life-long member of Reform Congregation Keneseth Israel of Philadelphia, he was a loyal and devoted friend to three generations of its rabbis. Inspired in childhood by the eloquence of the dynamic personality of a member of the first graduating class of the Hebrew Union College, Rabbi Joseph Krauskopf, Sidney Neumann always felt a special bond of gratitude to the seminary whose graduates ministered to him and to his family. Although he never visited the College, he revered its meaning in his own life and in the life of American Jewry. A bachelor with no human ties beyond the friendship of a few devoted souls, he sought in his bequest to support those aspects of American Jewish life, both in Philadelphia and elsewhere, which best exemplified the ideals and aspirations of his teacher, Rabbi Krauskopf, and which harmonized with his own concept of that which is permanent and enduring.

In his will, therefore, Sidney Neumann bequeathed the fruits of a lifetime of hard work to the institutions which he respected and loved: the congregation to which he and his parents belonged, for the building and maintenance of a chapel; the Delaware Valley College of Science and Agriculture (founded as the National Farm School by Rabbi Krauskopf); the Philadelphia Home for the Jewish Aged; the Jewish Publication Society of America (co-founded by Rabbi Krauskopf); the Moss Rehabilitation Hospital of Philadelphia; the Federation of Jewish Agencies of Greater Philadelphia; the Hebrew Union College and the American Jewish Archives—for scholarly publications. All these, in addition to some modest bequests to many other institutions and to a number of individuals.

It is noteworthy that these generous gifts were not meant to perpetuate his own name, other than through the recitation of Kaddish for him in the Keneseth Israel Temple and the Chapel of the Hebrew Union College; Sidney Neumann contributed these large sums so that an enduring memorial to his parents might be assured.

We, of the Hebrew Union College, therefore, take pride in saluting the spirit of Sidney Neumann with this volume of the *Hebrew Union College Annual* dedicated to the memory of his parents, Abraham and Emma Neumann. *Zekher tsaddiq livrakha*: the memory of the righteous will be a blessing.

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AN OLD BABYLONAN LEGAL PROCEDURE FOR APPEAL

Evidence from the *ṭuppi lā ragāmim*[1]

RONALD A. VEENKER

Western Kentucky University, Bowling Green

THE OB phrase *ṭuppi lā ragāmim* could be translated, "tablet of no complaining," or, less literally, "document of no (further) contest." *ṭuppi lā ragāmim* refers to a document which is given by one litigant to another at the conclusion of a lawsuit[2] to guard against the same litigants appearing before the judge in another suit concerning the same matter, i.e., another suit *de eadem re.*[3] Generally, the party in whose favor the verdict was rendered received the document from the defeated party. This was his protection against further claim arising in the matter.[4] It

1 Portions of the second part of this article were read in the form of a paper before the joint session of the Middle West Branch of the American Oriental Society and the Mid-West Section of the Society of Biblical Literature in Bloomington, Indiana, November 4, 1969. A discussion of *CT* 45 18 appears in the writer's unpublished doctoral dissertation, "The Old Babylonian Judiciary and Legal Procedure," (Hebrew Union College-Jewish Institute of Religion, 1967) pp. 63–70. The abbreviations used in this article are found in the *Chicago Assyrian Dictionary* (CAD) and the *Akkadisches Handwörterbuch* (AHw). Additional abbreviations are Driver and Miles, G. R. Driver and John C. Miles, *The Babylonian Laws* I, (Oxford: 1952) and *The Babylonian Laws* II, (Oxford: 1955); Lautner, J. G. Lautner, *Die richterliche Entscheidung und die Streitbeendigung im altbabylonische Prozessrechte,* (Leipzig: 1922); Koschaker *KVGR,* P. Koschaker, *Kritische Vierteljahrschrift für Gesetzgebung und Rechtswissenschaft,* (München); Walther, Arnold C. Walther, *Das altbabylonische Gerichtswesen,* (Leipzig: 1917). We wish to thank Marten Stol, Samuel Greengus and Johannes Renger for their valuable suggestions. We also wish to thank Dr. J. T. Stahl for reading the manuscript and making helpful comments. Special thanks are due the Faculty Research Committee of Western Kentucky University which made funds available in support of this project.

2 That is, the act of writing followed the oath procedure; cf. *VAS* 8 71:35: *ištu itammû ṭuppi lā ragāmim izzibū* "As soon as they had sworn, they made out a document renouncing (further) claim." See Lautner p. 43 and von Soden *GAG* §171 i. The reading *ṭuppi* is always singular; the plural is *ṭuppāt lā ragāmim* (*CT* 45 18:5'; *CT* 2 45:11).

3 Cf. Lautner pp. 35–44; Schorr *VAB* 5 pp. 350–351; Koschaker KVGR 1914 pp. 437–438; Waltner pp. 246–247; Driver and Miles I pp. 74–76.

4 See Lautner pp. 39–40; cf. esp. *TCL* 1 157, *VAS* 8 9, *VAS* 8 71, *CT* 2 39, *CT* 6 49a and *CT* 8 45b which refer to the writing and giving of the *ṭuppi lā ragāmim. CT* 45 3, by the use of proper names, shows most unambiguously who

seems quite likely that most OB "court documents"[5] are, in fact, *ṭuppi lā ragāmim.*[6]

An excellent representative text is *CT* 8 28b.[7] The text begins: *ṭuppi lā ragāmim*[8] *ša* 10 gán a.šà *ša ebertim* 1 sar é . . . and continues with a description of other property belonging to Bēletum, presumably a *nadītu*-woman of Sippar, whose rights of ownership were being contested by four sons of Nūr-Šamaš. In addition to the field and house, the property also included her chattels, two slaves (one born to her house and the other purchased by Bēletum [*ina ramānīša išāmuši*]), a grinding stone for flour,

gave and who received the document: The text begins with a description of a "house in good repair" (2 sar é.dù.a [*CAD* B 284a]) which PN_1 bought from PN_2. Then Rubâtum, Huddultum and Erīb-Sin raised claim against Šallūrtum and Namija concerning the house; (17) *da-ja-nu di-na-am* (18) *ú-ša-ḫi-zu-šu-nu-ti-ma* (19) *ba-aq-ru-šu-nu ù ru-gu-mu-šu-nu* (20) ⸢*na*⸣*-ás-ḫu-ma*(!) DUB *ša la ra-ga-mi-im* (21) ¹*Ru-ba-tum* ¹*Ḫu-du-ul-tum* (22) *ù E-ri-ib-*ᵈEN.ZU *e-mu-ša* (23) *a-na Ša-lu-ur-tum ù Na-mi-ja* (24) *i-zi-bu-šu-nu-ši-im* (25) ud.kúr.šè *la i-tu-ru-ma la e-ra-*⸢*ga-mu*⸣ (26) mu ᵈutu ᵈamar.utu *Za-bi-um* (27) *ù* URU.KI UD.KIB.NUNKI *it-mu* (remainder destroyed) "The judges granted them a trial; (decision): Their complaint and claim is null and void. Rubâtum, Huddultum and Erīb-Sin, her father-in-law, had a *ṭuppi lā ragāmim* made out for Šallūrtum and Namija. By the name of Šamaš, Marduk, Sabium and the city of Sippar they swore." In this case, following a procedure which the writer considers typical of OB court documents, the defendants, in whose favor the judges ruled, received the *ṭuppi lā ragāmim* from the plaintiffs.

5 The term employed by the German scholars, who have been most active in discussing these documents, is *Prozessurkunden.* See Lautner p. 1 *et passim;* for a description and list of the so-called "court documents" see Schorr *VAB* 5 pp. 336–458; Kohler *HG* 3 pp. 184–207; Walther p. 246.

6 The writer agrees with Lautner when he says, "Die grössere Zahl der uns erhaltenen Prozessurkunden sind *duppi* (i.e., *ṭuppi*) *lâ ragâmim* . . ." (p.41) and, "Die Form der *duppi lâ ragâmim* ist eine mannigfache" (p. 40). Nevertheless, certain of Lautner's conclusions about the schema (pp. 40–43) by which a document must be measured in order to be included in the category *ṭuppi lā ragāmim* call for closer examination. While a full discussion of the literary form of OB legal documents lies beyond the scope of this paper, a few comments are, nevertheless, in order. A survey of *VAB* 5 and *HG* 3–6 reveals more than 370 documents which contain in one form or another a *lā ragāmu* clause (most frequently: *ul iraggam* "he will raise no [further] claim"). Not all occurrences of the clause are in court documents; e.g., those which Schorr has placed under the heading *Kauf* (*VAB* 5 77–111) are quite clearly first stage documents, i.e., they are not written as the result of litigation. On the other hand, certain OB legal documents which have no *lā ragāmu* clause are almost certainly *ṭuppi lā ragāmim,* i.e. they give very concrete evidence that they result from a judicial decision rendered in a court of law (cf. *CT* 42a [*VAB* 5 274]). Therefore, we would hesitate to endorse any schema as exclusively sufficient to judge an OB document as *ṭuppi lā ragāmim.*

7 Cf. *VAB* 5 228; *HG* 3 689; Lautner p. 2.

8 The writer is not aware of another OB court document which begins with the phrase *ṭuppi lā ragāmim.*

and two special wooden tables;[9] all these items were recorded in a separate sealed document (*ina kunukkīšā šaṭru*) held by Bēletum. The judges, then, threw out the plaintiffs' claim (*dajjānū ina* é [d]utu *rugummêšunu issuḫū*), charging them neither to return (*ula iturrūma*) nor to raise further claim (*ula iraggam*[*sic!*]) against the defendant, Bēletum. They swore by Šamaš, Aja, and Sumu-la-el, the king. The document was witnessed by six judges.

The property of Bēletum was secured by an earlier agreement or transaction which was recorded in a "sealed document." The writing of a document to record an agreement is well known in the OB period both from the Code of Hammurabi and private legal documents.[10] The terms frequently employed to refer to these documents are *ṭuppum, kanīkum,* and *kunukkum.*[11] According to *CH*, an agreement considered legally binding was made in the presence of witnesses and recorded in a sealed document.[12] We suggest that the issuing of this sealed document reflects what may be called a "first stage" procedure in OB civil law. Many of these "first stage" sealed documents or contracts cover familiar transactions such as giving and selling property within and without the family group. Ownership of property would sometimes be disputed following such transactions and the parties involved could then seek adjudication through litigation. It appears that these sealed documents were

9 Line 11: 2 giš *ka-na-aš-ra(?)* perhaps for *kannaškarakku;* cf. *CAD* K 149b–150a.

10 See esp. *CH* §§150–151, 177, 179, 182–183 and *CAD* E 422b, 423b; *CAD* K 150–151, 547.

11 The writer understands these terms to be synonyms in OB legal contexts. Notice, for example, *CH* §179: "If the father of the high-priestess the priestess or an epicene has bestowed a dowry (*šeriktum*) on her, has written a sealed tablet for her (*kunukkam išṭurušim*) and has granted her written authority in the tablet which he has written for her (*ina ṭuppim ša išṭurušim*) to give (the charge of) her estate to whom she pleases . . ." (Driver and Miles II pp. 70–71). There appears to be no differentiation here between *ṭuppum and kunukkum.* Although, *ṭuppi lā ragāmim* is the standard phrase in legal texts, we call attention to *kunukkam ša lā ragāmi*[*sic!*] *CT* 2 39:11 (see also Driver and Miles I p. 75 n. 5). For *kunukkum* = *kanīkum* compare *MSL* 1 85 50 na_4.kišib.a.ni.: *kunukkīšu*) with 87 21 (na_4.kišib.a.ni.: *kanikšu*). For *kanīkum* as a variant of *kunukkum* in the lexical series Diri, cf. *CAD* K 543b.

12 *CH* § 7 states that a man who purchases goods or receives property as a bailee without witnesses and contract (*balum šībī ū riksātim*) is, in the eyes of the law, a thief. Also note *CH* §§122–123 which say that a man who places his property in receivership must show his goods to witnesses (*šībī ukallam*) and make an agreement (*riksātim išakkanma*); if he fails to do so, he has no protection against the receiver denying receipt of the property. (Cf. Driver and Miles I pp. 236–240). That OB *riksātum* essentially refers to the agreement between the parties and not the written document, has been demonstrated by S. Greengus, "The Old Babylonian Marriage Contract," *JAOS* 89 (1969) pp. 506–514.

offered to the court as supporting evidence by the parties.[13] The actual litigation before the court could be referred to as a "second stage" procedure. At this stage the verdict of the judge[14] would be recorded in a document known as *ṭuppi lā ragāmim*. We, therefore, would term *CT* 8 28b a "second stage" document which makes reference to a "first stage" document, viz. the *kunukkum* which Bēletum entered as evidence at her trial.[15]

Another document pertinent to a discussion of *ṭuppi lā ragāmim* is *TCL* 1 157.[16] It is evident that the text opens with a description of the property in question, viz. an estate (1 sar é), as well as the names of the parties involved in the original transaction.[17] What follows is the lengthy testimony of Addi-libluṭ, husband of the defendant. He testified that his wife, Bēlessunu, had purchased the estate from Ilša-ḫegallum for 15 shekels. Furthermore, he personally received the "bill of sale" (*kanīk šīmātim*). Later, Ilša-ḫegallum, who sealed the bill of sale herself, raised claim against him (Addi-libluṭ) concerning that estate (1 sar é). She testified that she had indeed sold the estate to Bēlessunu, the wife of Addi-libluṭ, but she had not received the purchase price of 15 shekels from Ilša-ḫegallum.

The judges, then, asked Ilša-ḫegallum to produce either witnesses who would testify that the money had not been paid or a *ḫīšu*-document which she had received in lieu of full payment.[18] Ilša-ḫegallum was able

13 That first stage documents were admitted as *prima facie* evidence in litigation will be seen in the discussion of *TCL* 1 157 and *CT* 2 47 below.

14 Lautner maintains that there was no verdict as such in OB legal procedure; rather, the judge (as arbiter) merely set forth a "settlement proposal" (*Streitbeendigungsvorschlag*) for the parties to act upon as they would (pp. 1–5; 49–66). For similar views see Koschaker *KVGR* 1914 p. 438; Schorr *VAB* 5 p. 351; Walther pp. 227–28. To the contrary, Eduard Cuq believed that in Babylonia, as with the people of modern societies, the judicial decisions were binding (*RA* 7 p. 177 as well as *Études sur le droit babylonien* [Paris: 1929] pp. 368–403). To the "settlement proposal" thesis Miles replies: "This view, however, can hardly be literally accepted. A man who has won his case must have some advantage from the judgment given in his favour, and some force must be given to the judgment of the court" (Driver and Miles I p. 75).

15 The *kunukkum* of Bēletum may have been very similar in form to *CT* 8 43b, *CT* 8 20a, *VAS* 8 33–34, and *CT* 6 21c (found in *VAB* 5 215–218 under the heading *Schenkung an Dritte* [*Adoptivkinder*]; see also pp. 278–282).

16 This text is treated in *VAB* 5 280; *HG* 5 1201; *RA* 7 (1910) pp. 121–138; Lautner p. 34 note 101, p. 56 *et passim;* Walther p. 247 esp., *et passim;* Thureau-Dangin *RA* 23 (1926) p. 28. For the seal impressions cf. Delaporte *Catalogue Louvre* II A p. 567.

17 Lines 4–8: PN_1 *it-ti* [PN_2] *i-na* mu *A-bi*-[*e-šu-uḫ* lugal.e alam.]a.ni *i-ša*-[*mu*] *VAB* 5 280).

18 Lines 32–35: di.ku$_5$.meš DINGIR-*ša*-hé.gál [lú.]meš *ši-bi ša*[lukur] *Be-el-zu-nu* kù.babbar *la id-di-ni-ši-im ú lu-ma ḫi-ša-am ša a-na* íb.tak$_4$ kù.babbar *iz-bu*-

to produce neither witnesses nor document; but Addi-liblut came forward with the bill of sale (*kanīk* 1 sar é). The judges heard witnesses who were present at the drafting of the bill of sale; they confirmed that Ilša-ḫegallum had received the 15 shekels as payment in full at the time of the original transaction. Then Ilša-ḫegallum admitted that their testimony was correct.

The judges examined their testimony and reached a decision: Because of the document which she contested (*aššum kanīki ša ubaqqiru*), they meted out punishment to her (*arnam emēduši*) and had her make out "this *ṭuppi lā ragāmim*" (*ū ṭuppi lā ragāmim anniam ušēzibūši*). Then they warned Ilša-ḫegallum and all her relatives never to contest this property again. They swore by Marduk and the king, Ammiditana. The proceedings were witnessed by eight judges and the *ḫazannu*.[19] The tablet was sealed by Ilša-ḫegallum, the *ḫazannu*, and six of the judges.

Note that *TCL* 1 157, like *CT* 8 28b, refers to a prior or first stage transaction which was recorded in a document called a *kanīkum*.[20] *TCL* 1 157 itself is a record of a second stage procedure, i.e., the litigation before the court, and is even labeled as *ṭuppi lā ragāmim*.[21] Also significant is the clear view of documentary and testimonial evidence brought out by this text. The judges requested that Ilša-ḫegallum, the plaintiff, produce either knowledgeable witnesses or a document demonstrating that she had not been paid in full. She was not able to do so. However, the defendant, Addi-liblut, brought forth both the documentary evidence to support his testimony *and* the witnesses who had knowledge of the transaction. Witnesses and first stage documents were introduced as

ši i-ri-šu-ši-ma. A *ḫīšu*-document constitutes proof of obligation to pay a debt. See *CAD* Ḫ 206b and M. David *Revue d'Histoire du Droit* 14 p. 17.

19 *Hazannu* (elsewhere "chief magistrate") is rarely attested in OB sources, occurring only in witness lists. Cf. *BE* 6/1 22: 25, 59:r4; *CT* 4 7a:19 (*CAD* Ḫ 164a).

20 See lines (17) *ka-ni-ik ši-ma-*[*tim*]; (21) *ka-ni-ik ši-ma-tim ik-nu-kam;* (37) *ka-ni-ik* 1 sar é; (40) *i-na ka-ni-ki ša-aṭ-*[*ru*]; (49) na$_4$.kišib-KI. The *kanīk šīmātim* was probably very similar in form to *BE* 6/1 13, *VAS* 8 58, *TCL* 1 75, *et al.* listed by Schorr under the heading *Kauf* (*VAB* 5 pp. 111–147). For the phrase *ṭuppāt šīmātim* see *CT* 2 45:11 and *CT* 47 24:20, 22, 29.

21 Lines 51–52: *ṭuppi lā ragāmim anniam ušēzibūši* "They had her make out this *ṭuppi lā ragāmim.*" We agree with Walther (". . .ist diese Urkunde selbst als Nicht-klage-Urkunde bezeichnet . . . [p. 247]) and Schorr (*VAB* 5 pp. 350–351) that the text in lines 51–52 refers to itself. On the other hand, Lautner is of the opinion that any text which mentions the depositing of a "document renouncing (further) claim" cannot itself be a *ṭuppi lā ragāmim* (pp. 42–43).

prima facie evidence before the courts not only according to the Code of Hammurabi[22] but also according to OB court documents.[23]

It now becomes clear that a lawsuit before a court would be a second stage in OB legal procedure, which resulted in the writing and giving of a *ṭuppi lā ragāmim.* Typically, before being granted a trial in the court, the parties at law would present to the judges first stage documents (called *ṭuppum, kanīkum or kunukkum*) and/or witnesses who had knowledge of a first stage agreement.

II

The obvious question regarding the legal force of the OB judicial decision must now be asked: Were these decisions irrevocable or were the litigants afforded an opportunity for yet another suit? That is to say: Did the directive from the bench at the conclusion of the second stage procedure (viz., *ul iturrū ul iraggamū* "they shall not raise [further] claim") and the litigants' oath (viz., *nīš* DN *itmû* "they swore by DN") eliminate the possibility of further litigation or a "*third* stage" in the OB legal process? Lautner, who denied that there was a judicial decision as such,[24] suggested that once the parties at law swore to uphold the judicial "settlement proposal," the agreement was binding.[25] It was also Lautner's opinion that the Babylonians did not know a procedure analogous to appeal in modern jurisprudence, but that under certain circumstances a second suit *de eadem re* was permitted.[26]

22 See the remarks on *CH* §§ 7, 122–123 *supra* note 12. Pertinent to *CH* §7 is *LE* §40: *šumma* lú sag.arad.gemé gud *ū šīmam mala ibaššû nādinānam lā ukīn šūma šarrāq* "If a man buys a slave, a slave girl, an ox or any other valuable goods but cannot (to the satisfaction of the court) identify the seller, he is a thief" (Goetze *LE* p. 106). Although the Code mentions neither documents nor witnesses, Goetze believes that both are implied by §40 (p. 109).

23 In addition to *TCL* 1 157, see *CT* 2 47:11–25; also *CT* 47 24:20–21: *ṭuppi šīmātīšu īmurūšuma*(!) *dīnam ušāḫizūšunūtima* "They examined his bill of sale and (then) granted them a trial": *CT* 48 8:12–13: *ana pī ṭuppātīšina dīnam ušāḫizūšinātima* "On account of the content of their documents, they granted them a trial"; *PBS* 5 100 i 36–38: *awatīšunu īmurū* DUB *nīš ilim maḫ-rīam išmû šībīšunu išālū* "They examined their case, they heard the (contents of) the earlier tablet (taken under) divine oath, they questioned their witnesses"; also *Sumer* 14 57 no. 31:18; *PBS* 1/2 9:29; *LIH* 11:11 *et al.* [cf. *CAD* A/2 39b–40].

24 Lautner sees the bench offering merely a "settlement proposal" to be either accepted or rejected by the parties involved in the litigation. See *supra* note 14.

25 Lautner pp. 67 par. 6; 57–58.

26 E.g., the omission of the "waiver of claim" clause (*lā ragāmu*) at the end of a document would, in Lautner's judgment, be sufficient grounds for another suit (p. 67 par. 6; also, see *supra* note 6). Such a procedure, in the most popular

On the basis of the "promise" contained in *lā ragāmu* clauses and a belief in the irreversibility of the oath, Eduard Cuq denied that any procedure similar to appeal existed in the OB period.[27] On the other hand, Walther considered the procedure for a second suit concerning the same matter as a "resumption of procedure" (*Wiederaufnahme des Verfahrens*).[28] According to his reconstruction, a litigant could appeal a decision if "a mistake [had been made] in the earlier deliberation, or [if] new legal circumstances became known which would have changed the situation."[29]

Largely due to the brevity and paucity of the documentary evidence, it has been difficult to bring the matter of a "third stage" procedure into focus.[30] However, the past decade has witnessed the appearance of several new volumes containing OB court documents.[31] Two texts in particular, *CT* 45 18 and *CT* 48 11, give us insight into the enigmatic "third stage" legal procedure.

In order to discuss *CT* 45 18, it will be helpful to examine its underlying second stage document, the *ṭuppi lā ragāmim* known as *CT* 2 47.[32]

sense, is called "appeal." When used in contemporary jurisprudence, appeal implies a system of higher courts which rule on procedural errors of the lower courts. There is no evidence to indicate a Babylonian appellate system (Driver and Miles I p. 490). We wish to focus attention here upon the irrevocability of judicial decisions. If a second suit *de eadem re,* which is a *new* trial, was permitted in Babylonian law, we would then know that under certain circumstances (e.g., new evidence) a judicial decision could be altered. In United States practice, such a procedure is properly called a "new trial" (See 6A Moore's Federal Practice §57.08[3]).

27 *RA* 7 (1910) pp. 100–101; *Nouvelle revue historique de droit français et étranger,* 33 p. 403.

28 Walther pp. 257–259. For a similar view see Schorr *VAB* 5 pp. 351–352. Pertinent, as well, is Miles' claim that the OB legal system had no procedure for appeal (Driver and Miles I p. 76 n. 8).

29 Walther p. 258. It seems that Walther is seeking to conserve the notion of an irreversible judicial decision by his use of the phrase "resumption of procedure." By viewing a second suit *de eadem re* as a "resumption" of the first suit, he seems to argue that only *one* trial, i.e., *one* verdict is involved.

30 Lautner has pointed out that the importance of the existing OB court documents is seriously diminished by their extreme brevity [p. 1]. In this regard see his discussion of *CT* 4 50a, *W* 31, and *CT* 6 42a (pp. 57–58; also Koschaker *HG* 6 p. 135 footnote).

31 E.g., *CT* 45 (1964); CT 47 (1967); *CT* 48 (1968);*TIM* 4 (1967); *TIM* 7 (1971); *YOS* 13 (1972).

32 Cf. *VAB* 5 261; *HG* 3 708; Lautner pp. 22, 34 n. 101, esp. 68–70 *et passim;* Walther pp. 204–205; J. J. Finkelstein in *The Ancient Near East:Supplementary Texts and Pictures Relating to the Old Testament,* ed. James B. Pritchard (Princeton: 1969) pp.107–108.

The text begins with a description of property which Amat-Šamaš, the daughter of Supapum, a *nadītu*-woman, gave to her adopted daughter, "the daughter of Sin-erībam":[33] A house in good repair situated in the "cloister," a female (perhaps a slave from the paternal estate) named Bēltum and assorted household items.[34] Nidnuša and Šamaš-āpili, sons of Iddinūnim, raised claim against the daughter of Sin-erībam concerning that property. They accused her of forging the document (*ṭuppum*) proving her ownership after Amat-Šamaš had died. Then witnesses for the defendant were sent by the judge to give testimony in the "cloister" before certain cultic objects. They said that Amat-Šamaš had written the document before her death giving the house to the daughter of Sin-erībam. The parties were granted a trial; the judges decided in favor of the defendant and imposed punishment (*arnam emēdum*) on one of the plaintiffs.[35] Finally, the judges issued a directive to the plaintiffs warning them not to return and stating that neither the plaintiffs nor the brothers of the deceased Amat-Šamaš should raise further claim.[36] At this point one expects to find the notation of the oath in the court documents (mu DN *ū* RN *itmû*). Instead, we find the judges giving further warning. They

33 Although the text seems to present this woman *sine nomine*, personal names of this sort are not uncommon in OB texts, especially those from the region of Sippar: *CT* 47 33:3 DUMU.SAL *Ibbi-Sin;* 39:3 DUMU.SAL ᵈIM-*id-di-in;* 39:8 DUMU.SAL *Zākirum;* 31a:44 DUMU.SAL *ᵈSin-erībam.*

34 Reading lines 1–3 as follows: (1) *a-na* 1/3 sar é.dù.a *ša ga-gi-im* (2) *ša* DA é *La-ma-zi* (3) 1 SAL *Be-el-tum* é *a-bi bu-še-e*(!) *ú-ni-a-tim.* For an itemized list of property which would have been considered "household items" (*uniātum*) see *BE* 6/1 84:12–29; *CT* 8 2a:1–11; *BE* 6/1 101:4–12. For the phrase 1 SAL ᶠPN see *BE* 6/1 84:30.

35 The punishment meted out in line 28 is not clear. Although the result is not free of difficulty, one might read: di.ku₅ esír.ra *e-li-šu id-di* "the judge threw bitumen on him." For esír.ra = *ittu* "bitumen" see *ARM* 7 263 iv 21' (*CAD* I 310b). For throwing bitumen cf. *YOS* 10 18:46–48: *ku-up-ra-am i-na-an-di-a* <*am*>*-ma* (*AHw* 509b, 706a). For bitumen used in punishment see *CAD* E 150 and K 554b; especially esír.è.a *am-ma-am* SAG.DU-*sú ik-kap-pár* "his head will be smeared with hot bitumen" (*TCL* 1 237:23–24). See San Nicolò, *Schlussklauseln der altbabylonischen Kauf- und Tauschverträge* (1922) pp. 21–22. A phrase identical to *CT* 2 47:28 is *CT* 48 3:22.

36 It appears that Nidnuša and Šamaš-āpili were kin to Amat-Šamaš. Whether Supapum (her father) and Iddinūnim (father of the plaintiffs) are brothers, or Supapum the father of Iddinūnim, is not clear. At any rate, the right of the *nadītu* to leave her property to an adopted daughter is being challenged. It was not unusual for an older *nadītu* to adopt a younger *nadītu* who would support her in her declining years. At the older woman's death, the younger *nadītu* would become heir to certain of her properties (see e.g., *CT* 2 41 [*VAB* 5 18; *HG* 3 681]). See further, R. Harris, "The Organization and Administration of the Cloister in Ancient Babylonia," *JESHO* 6 (1963) pp. 121–157; also, Driver and Miles I pp. 374–383. Further bibliography pertaining to inheritance is found in *CAD* Z 148.

appear quite convinced that no further litigation is in order. Any of Amat-Šamaš's brothers who might appear at another time to contest her property[37] will do so at their own risk, since the case is considered by the court as settled.[38] The document is witnessed by four judges.

Notice that the plaintiffs in this case make their formal allegation by means of deposition;[39] the defendant then produces witnesses who have knowledge regarding the circumstances surrounding the writing of her *ṭuppum*. She does not present the *ṭuppum* as *prima facie* evidence; the plaintiffs do not deny that she is in possession of a document which identifies her as the owner of the property in question. The point of law is the trustworthiness of that *ṭuppum*, since they have charged her with forgery.

Especially because of the lengthy and stern directive from the bench contained in *CT* 2 47, we are surprised to find the plaintiff Nidnuša seeking further litigation in the same matter.[40] We now turn to *CT* 45 18:

[*Ni-id-nu-ša ù* ^{d}Utu-*a-pi-I*]*i* ŠEŠ-*šu*
[DUMU.MES *I*]*d-di-nu-nim*
ir-gu-mu-ú-ma DI.KU$_5$MEŠ *i-na* É ^{d}utu
di-nam ú-ša-ḫi-zu-šu-nu-ti-ma
ṭup-pa-at la ra-ga-mi-im a-na La-ma-zi
^{1}*Be-el-ta-ni* ^{1}*Il-ta-ni ù* DUMU.SAL *30-e-ri-ba-am*
i zi-bu Ni-id-nu-ša DUMU *Id-di-nu-nim*
i-tu-úr ir-gu-um-ma
^{1}*Su-mu-*ÚḪ.KI *ra-bi-an* UD.KIB.NUN.KI
ù DI.KU$_5$.MEŠ UD.KIB.NUN.KI
di-nam ú-ša-ḫi-zu-šu-nu-ti-ma
aš-šum ṭup-pa-at la ra-ga-mi-im

37 Lines 34–35: *i-na a-aḫ-ḫi-ša ša* Gemé.^{d}utu *ma-la i-lu*(!)*-nim-ma i-ra-ga-mu* "As many among her brothers as might show up and raise (further) claim." For the reading *i-lu*(!)*-nim-ma* see Landsberger *ZA* 40 p. 192 n. 4.

38 Lines 35–36: *aš-šum ki-ma šu-nu-ti* (36) *ig-mu-ru šu-nu-ú-ma i-ta-na-pa-lu* "since, in their (her brother's) stead, they (Nidnuša and his brother) have settled (the dispute), *they* themselves (Nidnuša and his brother) shall bear the responsibility." Cf. von Soden *HED* I p. 192 and *CT* 45 18:29'. One might read for *kīma šunūti*, di.dab$_5$-*šu-nu-ti* "their case" in order to provide an object for the otherwise awkward *igmurū*.

39 Their charge that the daughter of Sin-erībam herself wrote (forged) the document after the death of Amat-Šamaš is preceded by the phrase *ummu šunūma* and closes with *kīam iqbûma*. These are standard phrases which introduce and follow testimony taken in deposition in the OB legal documents. Cf. *GAG* §155a; *CAD* K 326b.

40 For another view of the relationship between *CT* 2 47 and *CT* 45 18 see Finkelstein, *The Ancient Near East*: *Supplement* p. 108a n. 1.

šu-zu-bu-ú-ma i-tu-ru-ú-ma
ir-gu-mu mu-ut-ta-zu ú-ga-li-bu
ap-pa-šu ⸢*ip*⸣*-lu-šu i-di-šu*
it-ru-ṣú URU.KI *ú-sa-ḫi-ru-šu-ma*
ba-aq-ru-šu ù ru-gu-mu-šu
na-ás-ḫu ú-ul i-ta-ar-ma
^{1}*Ni-id-nu-ša* DUMU *Id-di-nu-nim*
a-na La-ma-zi LUKUR ^{d}utu DUMU.SAL *Búzur*.ÚḪ.[KI]
^{1}*Be-el-ta-ni* LUKUR ^{d}utu DUMU.SAL MA-*ni-um*
^{1}*Il-ta-ni* LUKUR ^{d}utu DUMU.SAL ÌR.RA-*ga-mil*
ù DUMU.SAL ^{d}EN.ZU-*e-ri-ba-am*
a-na ša GEMÉ.^{d}utu LUKUR ^{d}utu DUMU.SAL *Su-pa-pu-um*
id-di-nu-ši-na-ši-im iš-tu pé-e a-di KÙ.GI
ú-ul i-ra-ga-am an-ni-a-am am-ši ú-ul i-qá-bi
ù a-aḫ-ḫu-ša ša GEMÉ.^{d}UTU
ma-la i-ba-aš-šú-ú ú-ul i-ra-ga-mu-ši-na-ši-im
a[*š-šu*]*m ki-ma šu-nu-ti Ni-id-nu-ša*
ig-mu-ru ba-aq-ri-šu ù ru-gu-mi-šu-nu
^{1}*Ni-id-nu-ša i-ta-na-pa-al*
[MU] ^{d}UTU ^{d}AMAR.UTU *ù 30-mu-ba-lí-iṭ ù* URU.UD.KIB.NUN.KI *it-mu-ú*
[ ]X.X.NI.ARAD
[ ] DUMU KA.^{d}UTU
[ ]-⸢^{d}NIN⸣.ŠUBUR

Translation

[Nidnuša and Šamaš-āpil]i, his brother;
[(both) sons of I]ddinūnim
raised claim, and the judges in the Šamaš temple
granted them a trial. (Then)
ṭuppāt lā ragāmim for Lamassi,
Bēltani, Iltani and the daughter of Sin-erībam
they made out. (Later) Nidnuša, the son of Iddinūnim,
returned and complained. Then,
Sumu-Akšak, the *rabiānu* of Sippar,
and the judges of Sippar
granted them a trial.
Because, after having been charged to make out
ṭuppāt lā ragāmim, he made another complaint,
they shaved off half his hair,

bored a hole in his nose, his arms
they stretched out and led him around the city.
His complaint and his claim
are null and void—he will not return. Furthermore,
Nidnuša, the son of Iddinūnim,
against Lamassi, the *nadītu* of Šamaš, daughter of Puzur-Akšak,
Bēltani, the *nadītu* of Šamaš, daughter of Manium,
Iltani, the *nadītu* of Šamaš, daughter of Irra-gāmil,
and the daughter of Sin-erībam,
concerning that which Amat-Šamaš, the *nadītu* of Šamaš, daughter of Supapum,
gave them (fem.), from the least to the most valuable item,
shall raise no (further) claim; nor shall he say, "This I forgot!"
Also, as for the brothers of Amat-Šamaš, as many as there may
be, they shall raise no (further) claim against them (fem.).
Since, in their stead, Nidnuša
has settled his claim, (for any future) complaint of theirs (her brothers),
Nidnuša himself shall bear the responsibility.
[By the name of] Šamaš, Marduk, Sin-muballiṭ and the city of Sippar
they swore.

(The remainder of the tablet is
too fragmentary for translation)

Although about one-third of the obverse is missing, the opening lines of the text clearly contain a précis of events involving the second stage procedure recorded in *CT* 2 47. There was a trial with Nidnuša and Šamaš-āpili as plaintiffs (lines 2–4). The bench ruled in favor of several defendants, since *ṭuppāt lā ragāmim* were made out for Lamassi, Bēltani, Iltani as well as the one given to the daughter of Sin-erībam, which is contained in *CT* 2 47. Lines 7–11 record the fact that Nidnuša, the defeated plaintiff of the first suit, returned, raised further claim and was granted a second trial before the same court, Sumu-Akšak and the judges of Sippar.[41] The court ruled against Nidnuša, basing its decision on the

41 Sumu-Akšak officiated in both *CT* 2 47 and *CT* 45 18. Since neither text is precisely dated, the time lapse between litigations is unknown. (*CT* 2 47 contains no mention of a king; *CT* 45 18 mentions the name of Sin-muballiṭ in the oath. *CT* 2 46, a record of litigation involving Sumu-Akšak and Iltani the daughter of Irra-gāmil, is dated in the fourteenth year of Sin-muballiṭ.) *CT* 45 18, by referring to Sumu-Akšak as the *rabiānu* of Sippar, does make clear his role

evidence of the *ṭuppāt lā ragāmim* from the former litigation (lines 12–13). Nidnuša's punishment consisted of facial mutilation and public humiliation (lines 14–16).[42] He is warned again not to return and is instructed to raise no further claim against the four defendants concerning any property which Amat-Šamaš had given them (lines 17–26). It may be that he was granted the second trial on the basis of alleged "new evidence" (cf. line 27: *anniam amši* "This I forgot").[43] The judges make it clear that none of Amat-Šamaš's brothers are to claim rights of ownership over the property she gave to the four women; should one of them attempt it, Nidnuša will be held responsible! Any possible claim arising out of this suit has been settled by him (lines 27–31).[44] Finally, lines 32–33 contain the oath.

It is clear that the daughter of Sin-erībam was not the lone defendant in the previous trial. We must assume that *CT* 2 47 is only one of the several *ṭuppāt lā ragāmim* mentioned in line 5 of *CT* 45 18; and that just as *CT* 2 47 contained information pertaining to property and rights as clarified by the decision of the court, so too each of the other three defendants held a similar document.[45] Nidnuša, the plaintiff, after losing

and explain his presence with the judges in the court. Because he appeared without the title in *CT* 2 46 and 47, Waltner (pp. 185 and 188), Lautner (pp. 69–70), and Schorr (*VAB* 5 p. 361) were somewhat puzzled by his presence and his function.

42 Such corporal punishment was not unusual in the OB period. For a discussion of lines 14–16, see S. Greengus, "A Textbook Case of Adultery in Ancient Mesopotamia," *HUCA* 40–41 (1969–70) pp. 41–43. In addition to the references and bibliography concerning penalties found on p. 41 n. 25, Professor Greengus has kindly provided the following: *UCP* 10/1 11:17–20 *bāqir ibaqqaru* 2 ma.na kù.babbar i.lál.e *ū lišānšu iššallap* "Whoever contests (this document) will pay 2 mina and his tongue will be cut off" (for the identical phrase see further *UCP* 10/1 22:18–19 and 52:17–18). According to *ana ittišu* (*MSL* 1 101:29–102:33), "If a(n adopted) son says to his mother, 'You are not my mother,' they shall shave off half his hair (*mutassu ugall(a)būma*), they shall lead him around the city (*ālam usaḫḫarūšu*), and they shall send him out from the house (*ina bīti ušeṣṣūšu*, i.e. disinherit him)." In this academic context, the verbs are inflected as future-present forms (similarly *CH* §127). The fact that the verbs of the court document (*CT* 45 18:14–16) are found in the preterite form may indicate the actual execution of the penalty.

43 For the phrase *anniam amši ul iqabbi* see *VAS* 8 52:26; *CT* 8 1a:7; *CT* 45 18:26', 24:11; *CT* 48 11:14.

44 This ruling corresponds to the rule of *res judicata* in modern jurisprudence: "Rule that final judgment or decree on merits by court of competent jurisdiction is conclusive of rights of parties or their privies in all later suits on points and matters determined in former suit" (Henry Campbell Black, *Black's Law Dictionary*, 4th ed. [St. Paul: 1951] p. 1470a).

45 It is unfortunate that the first stage document (mentioned in *CT* 2 47:12, 24) which Amat-Šamaš gave to the daughter of Sin-erībam has not turned up. However, the *ṭuppum* which Amat-Šamaš gave to Lamassi as proof of ownership

his first litigation, did in fact return and was able to obtain a second trial. Even though he lost the second suit, we must assume that he had a chance to win, i.e. that a reversal of the earlier judicial decision was possible.

That the *plaintiff* in a second suit *de eadem re* could win, is shown by *CT* 48 11:1–16:

iš-⌜tu⌝ 1 ma.na kù.babbar
^{1}Arad.30 *a-na* ^{d}Utu-*ra-bi iš-qú-lu*
ù DUB *la ra-ga-mu-um ú-še-zi-bu-šu*
i-tu-ur ir-gu-um-ma
10 gín kù.babbar Arad.30 *a-na* ^{d}Utu-*ra-bi iš-qú-ul*
ud.kúr.šè *a-na* 1 ma.na kù.babbar é.gal-*lim*
kù.babbar *gi-ir-ri-im ù* šà.uru.ki
kù.babbar *gi-ir-ri-im ù* šà.uru.ki
ù mi-im-mi-e é.a.ba
iš-tu pé-e a-di KÙ.GI
^{1d}Utu-*ra-bi ù* dumu.meš-*šu*
a-na Arad.30 *ù* dumu.meš-*šu*
ú-ul i-ra-ga-mu
an-ni-a-am am-ši ú-ul i-qá-bi
mu ^{d}utu ^{d}amar.utu *Ḫa-am-mu-ra-bi*
ù URU.UD.KIB.NUN.KI *it-mu-ú*[46]

Translation

After one mina silver
Warad-Šamaš had paid to Šamaš-rabi
and (after) he had made out the *ṭuppi lā ragāmum*[*sic*!] for him,
he (Šamaš-rabi) raised a [further] claim. Then

is available. *W* 24:1–8 (*AJSL* 29 [1913] pp. 175f; *HG* 6 1731) contains the following information: Amat-Šamaš the daughter of Supapum gave to Lamassi the daughter of Puzur-Akšak, her (adopted) daughter, a house (1/3 sar é.dù.a) which is adjacent to the estate of the daughter of Sin-erībam. Though we do not have the *ṭuppi lā ragāmim* which was given to Lamassi after the first suit, we do have her *ṭuppum* or first stage document. The house of Lamassi was adjacent to the house of the daughter of Sin-erībam and can be identified as the property referred to in *CT* 2 47:2. Lamassi the daughter of Puzur-Akšak is a well known personality in the *nadītu* archives (cf. R. Harris, *JCS* 16 [1962] p. 9).

46 Lines 17–26 contain the names of eight witnesses and the date. The year may be Hammurabi 42/43: m[u x.x.x.x.]x ^{d}utu (cf. *RLA* 2 pp. 181–182 nos. 144–145).

Warad-Šamaš paid Šamaš-rabi ten (more) shekels.
In the future, concerning the mina of palace money,
the money (for business interests, whether) provincial or local,
the money belonging to the estate of Rēš-Šamaš, any documents,
or anything else from the paternal estate,
from the least to the most valuable item,
Šamaš-rabi and his sons
against Warad-Šamaš and his sons
shall raise no (further) claim.
"This I forgot," he shall not say.
By the name of Šamaš, Marduk, Hammurabi
and the city of Sippar they swore.

Lines 1–3 speak of an earlier lawsuit (second stage) in which the plaintiff, Warad-Šamaš, was ordered to pay the defendant, Šamaš-rabi, one mina and make out for him a *ṭuppi lā ragāmim.* Even though Šamaš-rabi was the victorious party, he was not satisfied with the settlement; he raised further claim (line 4). The bench ruled again in favor of Šamaš-rabi, the plaintiff in this third stage procedure, and ordered Warad-Šamaš to pay an additional ten shekels (line 5). In the directive (lines 6–14), the judge made it clear that there should be no further litigation in the matter; Warad-Šamaš and his sons are quit of further debt concerning the execution of the paternal estate.

Thus, *CT* 45 18 and *CT* 48 11 provide a clear picture of the third stage procedure, or second suit *de eadem re.* Although one cannot call the third stage "appeal" in the manner of modern jurisprudence, it is, nevertheless, a legitimate and distinct litigation, i.e., the plaintiff at this stage can win his case. So we see that judicial decisions could be altered and that the directives "he shall not raise further claim" were not irrevocable or absolute. Rather, one can undestand these directives to have meant, "If he raises further claim, he does so at his own risk."[47]

47 A discussion of second and third stage documents must include the texts *CT* 2 46 (*VAB* 5 283) and *CT* 2 22 (*VAB* 5 282). *CT* 2 46 is clearly a record of litigation (note: a judge is present, the word "lawsuit" [*dīnum*] appears and the procedure takes place at the traditional site of the OB court, the *Šamaš* temple). The family of Irra-gāmil, deceased, has initiated a suit against Erīb-Sin, business partner of the deceased, concerning the division of their partnership. The judge sent the defendant, Erīb-Sin, to clear himself by oath (*ana ubbubim iddiššu*) and he swore that he had nothing belonging to Irra-gāmil. The court exonerated Erīb-Sin and advised the plaintiffs to refrain from further litigation in the matter. That *CT* 2 46 contains a third stage procedure is suggested, first, by the phrase *itūrū irgumū* "they raised (further) claim" (line 10) [cf. the third stage documents *CT* 45 18:8' and *CT* 48 11:4 *supra*]. Second, the phrase *ṭuppi lā ragāmim išnûma ana Erīb-Sin īzibū* "for a second time they had to

Some questions remain: What were the grounds for a second trial? Does the phrase, "This I forgot," in the third stage documents presented above indicate that the former plaintiff would need to offer new evidence in order to re-open the litigation? Are we correct in assuming that the burden of proof fell upon the plaintiff? We have seen that both first stage documents and knowledgeable witnesses were required by the court at the second stage (cf. *TCL* 1 157); but that second stage documents (*ṭuppāt lā ragāmim*) were introduced as evidence at the third stage (cf. *CT* 45 18). We are led to suggest that witnesses were not required at the third stage because the judges themselves witnessed the second stage *ṭuppi lā ragāmim.*[48] Hopefully, more certain answers to these and other questions will be forthcoming with the appearance of new text editions as well as the continued efforts of scholars in the field.

make out a *ṭuppi lā ragāmim* for Erīb-Sin" (lines 21–23) indicates a previous, i.e. a second stage procedure. However, in light of the corporal punishment recorded in *CT* 45 18:12'–16' (*supra* pp. 9 f.), we would expect the plaintiff, against whom the court has ruled, to receive a more severe penalty than a simple order to reissue a *ṭuppi lā ragāmim.* The companion document *CT* 2 22 contains the matter of rights to 5/6 mina which was left in the partnership at the death of Irra-gāmil. In the Šamaš Temple, Erīb-Sin settled his accounts before the god (*nikassīšu* igi ^{d}utu *īpuš*) and they (the plaintiffs and the defendant) established the true legal situation regarding the money (5/6 ma.na 7 gín kù.babbar *ina* é ^{d}utu *ubirrū*). This procedure satisfied the parties and the text records that Erīb-Sin was not liable to further litigation in the matter. Note that *CT* 2 22, the *ṭuppi lā ragāmim* which was deposited *the first time* (*CT* 2 46:21–23 *supra*), makes no mention of a first stage document (*ṭuppum/kunukkum*). Without a document, the heirs of the deceased partner have no immediate recourse to a proper division of capital, save through litigation. Whether the partners made an agreement regarding dissolution of the business before death occurred is of no consequence, since there were no witnesses to call for testimony in the matter (cf. *supra* pp. 5 f.). Because *CT* 2 22 contains no evidence of legal hostility [e.g., the usual *ana* X PN_1 *ana* PN_2 *irgum*], but indicates that both parties came before the court voluntarily [(6) *ana* é ^{d}utu *Erīb-Sin* (7) dumu.meš *Irra-gāmil* (8) dumu.sal.meš *Irra-gāmil* (9) dam.a.ni *Irra-gāmil* (10) *īrubū*], we suggest that they wished to obtain a "friendly suit." Apparently, the court decided that it was in the interest of both parties to rewrite the second stage document and therefore neither party was liable to the usual risks of a third stage procedure, such as corporal punishment and public humiliation.

48 Note that the documents *CT* 8 28b, *TCL* 1 157 and *CT* 2 47 [all second stage documents which yield a great amount of unambiguous information regarding legal procedure] were witnessed by judges. We suggest that a second stage document which had been witnessed by a judge or judges was appropriate evidence for a third stage procedure. Logically, of course, this does not hold for third stage documents. That is, there would have been no need for the judges to witness *CT* 45 18. Since the plaintiffs challenged the validity of *CT* 2 47 (the second stage document) and the judges ruled against them, nothing has occurred to alter the legal force of that second stage document. The third stage document, *CT* 45 18, simply became a legal footnote to the second stage litigation, testifying to the validity of *CT* 2 47.

IN SEARCH OF PRINCIPLES OF PROGNOSTICATION IN EXTISPICY

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DIVINATION constituted one of the major concerns of the Mesopotamians, as is apparent from the existence of numerous omen texts, and from the place of divination in the Mesopotamian world view in general: the welfare of the state depended on being able to predict the future.[1] Although several forms of divination were known in Mesopotamia,[2] the most profusely attested and the most enduring is extispicy. Due, perhaps, to the accident of discovery, we are better informed about some periods in Mesopotamian history than we are about others, which may account for the fact that the concern with extispicy seems to find a more intense expression in the documents available from certain periods rather than in those of others. The later Sargonids are a case in point. Many oracular queries and extispicy reports from their reigns, shedding light on some of the concerns of these monarchs as well as on the techniques of the diviner in the seventh century, have been available for some time.[3] Elsewhere, and much earlier in time, insight into the practice of extispicy is furnished by the archives of Mari, where the performance of extispicies is described as common practice, and is referred to constantly in letters, royal correspondence not excluded.[4] Extispicy reports from Mari often appear as parts of letters rather than in the standard form of reports known to us from Babylon (notably, but not exclusively, from the reign of Ammisaduga). The context in which these reports appear endows the practice of extispicy in Mari with that personal touch which the laconic statements of the

1 Cf. Speiser, in *The Idea of History in the Ancient Near East* 61; Finkelstein, "Mesopotamian Historiography," *PAPS* 107 463 ff.

2 For the various types of divination attested in Mesopotamia, cf. Erica Reiner, "Fortune-Telling in Mesopotamia," *JNES* 19 23 ff.; cf. also Oppenheim, *Ancient Mesopotamia,* 206 ff.

3 Notably in the studies of Knudtzon, *Assyrische Gebete an den Sonnengott* (1893), and Klauber, *Politisch-religiöse Texte aus der Sargonidenzeit* (1913). For a recent survey of these materials, cf. J. Aro in *La divination en Mésopotamie ancienne* (henceforth *La Divination*) 109 ff.

4 Passim in *ARM*. For the role of divination and the diviner in Mari, cf. A. Finet in *La divination* 87 ff.

standard extispicy reports of the Old Babylonian and Kassite periods lacks. Besides the understandable concern with the affairs of state, such as the safety of palace, city, army, and the like, which permeates these documents, the prevalence of extispicies in the affairs of ordinary people occasionally filters through. Note, for example, *ARM* 2 133: "My Lord has written to me previously concerning the detention of the caravan destined for Qatanim. I have been detaining these men for five days (now), and they have used up their lambs in making extispicies. Let my lord send instructions (as follows): let not these men be detained; let them go. The men are distressed."[5] Or, *ARM* 5 83: "Sag-Ninbal arrived in Mari in the evening of the twelfth day of the month of Kinunim. I had extispicies performed for the safety of his trip (*ana ḫarrānišu*). They were unfavorable."[6]

Extispicy reports in the body of letters are not numerous,[7] but they are of great significance. The modern investigator profits from the information concerning extispicy found in the Mari archives in two ways:

1. He acquires an insight into the most immediate concerns of the people for whom the extispicies had been performed.
2. Where an extispicy report is embedded in the body of a letter, he may be introduced to a "technical" discussion of the significance of the observations of ominous configurations in the eyes of the correspondents.[8]

A definition of an extispicy report at this point is in order: it is a factual description of the observed appearance of the exta of a sheep, where the verbal forms accompanying each organ listed in the report are a statement of the physical condition of that organ. The sum total of the configurations observed serves as a balance sheet of favorable and unfavorable omens resulting in a prognosis. To be sure, such a balance sheet is nowhere attested in the Old Babylonian and Kassite reports (for the practice in the Sargonid reports see below). The number of favorable and unfavorable omens necessary to render an extispicy favorable or unfavorable is never made explicit, as they are, for example, in the Sargonid reports.

Statements such as: 5 TAG.MEŠ . . . SIG$_5$.MEŠ-*šú ya-a-nu* TAG-*át*, "there are five unfavorable omens. . . there are no favorable ones: (there-

5 Letter of Idin-Numušda. The recipient of the letter remains unknown.

6 Letter of La'ūm (*La-ú-um*).

7 E.g., *ARM* 4 54; 5 65. Three additional reports have been published by Nougayrol, *JCS* 21 226 ff. (L, M, N).

8 Such is the case in *ARM* 4 54, a letter from Išme-Dagan to Yasmaḫ-Adad. For a discussion of the extispicy report which forms the topic of this letter, cf. Ivan Starr, *The Bārû Rituals* (unpublished Yale dissertation 1974) 184 ff.

fore) it (the extispicy) is unfavorable,"[9] are not to be found in extispicy reports from the Old Babylonian and Kassite periods. Even the bare results of the extispicy (i.e., favorable or unfavorable) are not always stated. The diviner, nevertheless, must have had a system whereby he could pronounce an extispicy favorable or vice versa. If he did not find it necessary to record the results of his observations, it is because he could make a prognosis with the help of a mental, rather than a written, balance sheet. It can be demonstrated[10] that in many cases the diviner could tell at a glance which of his observations should be considered favorable and vice versa, without recourse to the compendia.

The task of the modern investigator is to try to establish criteria for an evaluation of extispicy reports (i.e., to determine what constitutes a favorable or an unfavorable extispicy), so that he too may follow in the footsteps of the ancient diviner and make a prognosis. In order to establish such criteria for determining the outcome of extispicies where no clues are provided by the reports themselves, it is necessary to study the canonical apodoses available, in order to determine whether any discernible patterns governing the outcome of extispicies will emerge.

Establishing one such pattern and deriving from it a universally applicable paradigm forms the subject of this study.[11] One extispicy report will serve as an illustration of the method involved. The example chosen is Bu. 88–5–12, 591 (*CT* 4 34b). The reason for the choice is that this extispicy report is the simplest one available in omen literature.

1–10. *ma-az-za-za-am i-šu pa-da-na-am i-šu* KÁ.É.GAL *ša-lim šu-ul-mu pa-ar-ku ša-ki-in ma-ar-tum ša-al-ma-a-at ú-ba-nu-um ša-al-ma-a-at ḫa-šu-ú ù li-ib-bu ša-al-mu 12 ti-ra-nu* 11–14. *te-er-tum im-me-er ku!*[12] *-ṣi-im ša-al-ma-a-at mi-im-ma la ta-na-ak-ku-ud*

"It had a 'station;' it had a 'path;' the 'gate of the palace' was normal; a crosswise *šulmu* was present; the gall bladder was normal; the the 'finger' was normal; the lungs and the heart were normal; (there were) twelve convolutions of the colon. The extispicy (derived) from the winter sheep is favorable. You have nothing to worry about."

All the organs enumerated in this report are described as either *išû, šakin,* or *šalim.* Starting with the last verbal form, we note that since ominous conditions arise out of deviations from the normal, any statement of normalcy of an organ of the sacrificial animal constitutes by

9 *PRT* 105:18.

10 Cf. Starr, *op. cit.* 19 ff., especially 32.

11 For other patterns of paradigmatic import, cf. *ibid.* 20 ff. and passim. For a tabulation of such paradigms, see 177 ff.

12 Cf. *CAD* sub *kuṣṣu* 595a; sub *immeru* 131b. This emendation makes the views of Nougayrol (*RA* 38 73 ff.) and Goetze (*JCS* 11 95 note 38) concerning this passage irrelevant.

definition a favorable omen. Consequently, all organs described as *šalim* (that is: normal, sound) in extispicy reports are to be considered favorable.

To determine the ominous significance of the remaining verbal forms (*išû* and *šakin*), a representative number of omens, taken from texts belonging to various periods and bearing these verbal forms (to which will be added *bašû,* since the three: *išû, šakānu,* and *bašû* in these contexts are for all practical purposes interchangeable) will be examined to determine whether any paradigmatic pattern will emerge from a study of their apodoses.

YOS 10 11 i 1 *šum-ma pa-da-nu-um ša-ki-in i-lum ki-bi-is a-we-lim u-še-še-er,* "if the 'path' is present: the god will direct the man's step."[13]

CT 20 33:115 (catch line) *šumma* (BE) KA DÙG.GA GAR-*in* KA GI.NA *ša* DINGIR *ana* LÚ, "if the 'good mouth' is present: a reliable response of the god to the man."

STT II 308 iii 6 *šumma* (BE) SILIM GAR-*in* SILIM ZI-*ti,* "if the *šulmu* is present: safety of life."

KAR 423 ii 48 *šumma* (BE) SILIM GAR-*in* ERíN-*ka* SAG A.ŠÀ-*šá* KUR-*ád,* "if the *šulmu* is present: your army will reach its goal."

Ibid. ii 68 *šumma* (BE) SILIM NU GÁL-*ši šib-sa-a-tum,* "if the *šulmu* is not present: (divine?) anger."

Ibid. ii 27 *šumma* (BE) KAL GAR-*in* SUḪUŠ-*a-an* GI.NA.MEŠ KI.TUŠ *ne-eḫ-tú,* "if the *danānu* is present: firm foundations; peaceful living."

RA 38 80:9 *šumma* (DIŠ) *da-na-nam i-šu ṣi-li-i-li e-li a-we-lim i-ba-aš-ši,* "if it had a *danānu*: the man will enjoy divine protection."

PRT 105:3 *šumma* (BE) KAL NU GAR *ni-ip-ḫu,* "if the *danānu* is not present: conflagration."

RA 44 23:1 *šumma* (DIŠ) *na-ap-la-as-tam i-šu i-lum i-na ni-qí a-we-lim iz-zi-iz,* "if it had a *naplastu*: the god will be present in the man's sacrifice."[14]

YOS 10 16:4 ff. *šumma* (BE) IGI.BAR *la i-ba-ši-ma i-na ma-aš-*[*ka*]-*ni-ša ṣí-ḫu-*[*um na-di*] *bu-tu-uq-tum ib-ba-ta-aq bi-ib-lum ma-tam ú-*[*ba-al*] *ru-bu-um* KASKAL *i-la-ku ú-ul i-tu-ra-am,* "if there is no *naplastu,* but in its place there is a pustule: the sluice channel will be breached; the flood will sweep away the land; the prince will not return from his campaign."

13 *STT* 308 i 1 is an identical omen. The negative formulation (ibid. 2) should, perhaps, be completed as follows: *šumma* (BE) GÍR NU GAR-*in* NUN KASKAL [*il*]-*lik-ma* < *ú-ul i-tu-ra-am* >.

14 Cf. *KAR* 423 i 38; *STT* 308 ii 68–69 (the apodoses in both positive and negative formulations in the latter are missing).

Ibid. 42:16 [*šumma* (MAŠ)] *li-bu la i-ba-aš-ši mi-qí-it-ti ru-bi-im,* "if there is no heart: downfall of the prince."

Ibid. iii 38 *šumma* (MAŠ) *ta-al-lu la i-ba-aš-ši mi-qí-it-ti ru-bi-im,* "if there is no diaphragm: downfall of the prince."

Ibid. ii 12 *šumma* (MAŠ) *du-ur li-bi* [*la*] *i-ba-aš-ši ma-a-tum e-bu-ra-am sa-an-q*[*á*]*-am i-ka-*[*al*], "if there is no *dūr libbi*: the country will eat a meager crop."

Ibid. 23:1 *šumma* (AŠ) KÁ.É.GAL *i-šu i-na ma-az-za-*[*az t*]*a-az-za-az-zu i-lum u-ša-lam-ka,* "if it had a 'gate of the palace:' whatever your position is, the god will protect you."

Ibid. 2 *šumma* (AŠ) KÁ.É.GAL *la i-šu ma-tam i-lu-ša i-zi-bu-ši,* "if it did not have a 'gate of the palace:' the gods of the country will abandon it."

Ibid. 51 ii 37 *šum-ma li-ša-nu-um la i-ba-aš-ši bi-it a-wi-lim i-ḫa-al-li-iq,* "if there is no tongue: the man's house will perish."

RA 67 43:35 *šumma* (BE) BI.RI *la i-ba-aš-ši* KUR *i-ḫa-al-li-iq* LUGAL *be-el* GIŠ.GU.ZA *ú-ul i-ba-aš-ši,* "if there is no spleen:[15] the country will be destroyed; there will be no king on the throne."

CT 31 44 r(!) ii 4 *šumma* (BE) . . . KAK.ZAG.GA NU GÁL-*ši* NUN *ina* É.GAL-*šú* ḪI.GAR.MEŠ-*šú,* "if there is no breast-bone: there will be a revolt against the prince by his palace."

BRM 4 13:79 (catch-line) *šumma* (BE) É.GAL ŠÀ.NIGIN NU TUK-*ši* BALA LUGAL TIL AŠ.TE KÚR-*ir,* "if there is no 'palace of the intestines:' the dynasty of the king will come to an end; the throne will change."

YOS 10 47:63 *šumma* (DIŠ) *du-ur na-ag-l*[*a-b*]*i-im ša i-mi-tim la i-ba-aš-ši ša-aḫ-lu-uq-ti* KALAM *iš-ša-ka-an,* "if there is no right *dūr naglabim*: destruction of the land will occur."

Ibid. 64 *šumma* (DIŠ) *du-ur na-ag-l*[*a-b*]*i-im ša šu-me-lim la i-ba-aš-ši* ᵈIM *i-ra-ḫi-iṣ,* "if there is no left *dūr naglabim*: a storm will inundate."

The last two examples are of interest, because in terms of the contrast right-left, one would expect one of the apodoses to be favorable; the other, unfavorable.[16] Yet here, both are unfavorable, underlining the ominous significance attached to the absence of an organ.

Note should also be taken of the sequence TCL 6 1:17ff., each of the protases beginning with: "If in the liver. . ."

TCL 6 1:17 *šumma* (BE) *ina* BÀ ME.NI NU TUK-*ši* LÚ *ina* IGI EN INIM-*šu ana* URU MAN-*ma* KÚR-*ir,* "if in the liver there is no umbili-

15 Nougayrol's suggestion in his commentary on this text (p. 41 n. 2).
16 For this point, cf. Starr, *op. cit.*, chapter I.

cal fissure: the man will have to move to another city because of his adversary."

Ibid. 18 *šumma* (BE) *ina* BÀ SILIM ZÉ *u* ŠU.SI NU TUK-*ši* LÚ *ina* É-*šu* ZÁH̬-*iq*, "if in the liver there are no *šulmu*, gall bladder or caudate lobe: the man will perish in his home."

Ibid. 19 *šumma* (BE) *ina* BÀ ZÉ *u* ŠU.SI NU TUK-*ši* LÚ *u* KI.TUŠ-*šu* ZÁH̬.MEŠ, "if in the liver there are no gall bladder and caudate lobe: the man and his household will perish."

Ibid. 20 *šumma* (BE) *ina* BÀ ZÉ ŠU.SI *u ni-ri* NU TUK-*ši* NÍG.H̬A.LAM.MA GAR-*an*, "if in the liver there are no gall bladder, caudate lobe or 'yoke:' there will be destruction."

Ibid. 21 *šumma* (BE) *ina* BÀ MÁŠ *u* GAB *2.30* NU TUK-*ši šib-sa-a-ti*, "if in the liver there are no *ṣibtu* and the left fissure (*piṭir šumēlim*): (divine?) anger."

An examination of the twenty-six examples cited above reveals the following pattern: all the protases where the organ is described as present (i.e., *išû, šakin, ibašši*) result in a favorable apodosis; conversely, where the opposite is the case, i.e., where the organ in question is said to be absent, the resulting apodosis is invariably unfavorable.

The examples chosen from dfferent periods are sufficiently representative to suggest that this pattern is of universal application: it applies to any organ of the exta (or the sheep, for that matter) said to be present, and vice versa. In other words, its value is paradigmatic.

When we bear in mind that all Old Babylonian and Kassite extispicy reports begin usually with a statement such as: *naplastu/mazzazu, padānu, šulmu, danānu išû/šakin* or variations thereof, the significance of the paradigm becomes immediately apparent: we are told that the four organs listed in the opening statement belong in the credit (i.e., favorable) side of our (imaginary) balance sheet. Conversely, when one of the organs is said to be absent, it belongs in the debit (i.e., unfavorable) side of the balance sheet.

Such is the case in the Sargonid reports (grouped in Klauber PRT # 102 ff.). These single out the absence of the *danānu* for special emphasis.[17] Such absence is noted by an unfavorable apodosis (PRT # 105:3, cited above), and, since the Sargonid reports (unlike the queries) maintain the convention of listing all unfavorable protases at the end of individual reports, by being so listed (*ibid.*, line 15). This practice indicates that the pattern established above does not represent a learned exercise of the scribal schools, but has its place in a living tradition of extispicy.

We can now apply the results of our investigation to our example

17 Cf. *PRT* index *sub* KAL 171a.

(*CT* 4 34b): in the light of the paradigm established for any organ said to be present or absent, the organs enumerated in this extispicy report, accompanied by the verbal forms *šalim, išû, or šakin,* must be understood to imply favorable omens in every case.

Only one item in our example is not governed by the paradigm established above: the observation of the number of the convolutions of the colon (*tirānu*), with which Old Babylonian and Kassite reports usually close. The usual number of convolutions in these reports runs from ten to fourteen, and is invariably even (e.g., 10, 12, 14) not by accident but design. To be sure, odd numbers do occur in the late texts, but were evidently considered unfavorable. For example, the observation of 15 convolutions of the colon (ŠÀ.NIGIN *15*) in *PRT* # 124 is listed among the unfavorable omens in that text (line 8).

The question of what constituted the minimal favorable number of convolutions merits some discussion. It would appear that at least in the late periods, ten convolutions of the colon were considered unfavorable (*CT* 20 46 iii 25 f. notwithstanding), as *KAR* 423 r.ii 54 would indicate: *šumma* (BE) ŠÀ.NIGIN *10* KA-*mu ana* ERÍN-*ni* ŠUB-*ut*, "if the number of the convolutions of the colon is 10: wailing will befall my army." This may explain why 12, 14, 16 convolutions is the common (favorable) number in the Sargonid texts, rather than the 10–14 of the Old Babylonian and Kassite reports.[18] Whatever the case, there is some evidence to indicate that a number below ten convolutions in the latter was considered unfavorable, and that fourteen was considered the optimum number,[19] so that (in our example) *12 tirānu* should be considered a "safe" (favorable) number of convolutions, and is to be entered in the credit side of our balance sheet. In short, the sum total of entries in this report belong in the credit side of the balance sheet; there are no entries on the debit side. The stated result of the extispicy ("favorable; you have nothing to worry about") becomes easily comprehensible.

As noted above, however, this particular report, where all the organs listed are accompanied by only three verbal forms, and where the latter are governed by just one paradigm, is the simplest available in omen literature. As a rule, the ordinary extispicy report is much more comprehensive.

18 Note the sequence 10, 12, 14, 16 convolutions in the examples cited by Boissier, *Choix* 88, 89.

19 Cf. Starr, *op. cit.* 148 f. Note 5R 63 i 18 (= *VAB* 4 266), where the observation of 14 convolutions results in a highly favorable apodosis.

ACCUSATIONS OF ADULTERY: A STUDY OF LAW AND SCRIBAL PRACTICE IN NUMBERS 5:11–31*

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IN biblical law, the institution of marriage was protected by a categorical prohibition of adultery (Exod. 20:14; Deut. 5:17). However, we must turn to the various legal compilations in the Hebrew Bible for further insight into the jurisprudence of this apodictic censure.[1] The collation of laws known as the Holiness Code (Lev. 17–26) is very strict as regards family purity. We are here interested in the catalogue of injunctions on sex and marriage as recorded in Lev. 20:10–21. Lev. 20:10 states the following case against adultery:

> If a man commits adultery with a married woman, committing adultery with his kinsman's wife, both the adulterer and adultress shall be killed.[2]

But despite its explicit formulation, this statute does not explicate the circumstances under which such a law could be enforced. The requisite details are clearly stated in Deut. 22:22. This case is also included within a corpus of laws on sex and marriage (Deut. 22:13–29). It promulgates the law for adultery whensoever the perpetrators of said act are caught *in flagrante delicto*. As formulated, the crime is both a public and witnessed event. Laws addressed to the same social situation, with

* I wish to thank Profs. Baruch Levine, Nahum Sarna and Shemaryahu Talmon for their helpful criticisms and suggestions. Final responsibility is, of course, mine.

1 The collection of laws known as the Covenant Code, Exod. 21–23, contains a short unit on sex and marriage (22:15–16, 18). No law of adultery is mentioned.

2 The protasis to the law contains two parallel clauses asyndetically juxtaposed. This is very similar to cases which are conflations from more than one textual tradition, cf. S. Talmon, "Double Readings in the Massoretic Text," *Textus* 1 (1960), pp. 144–85. Additionally, we may note that the penalty is recorded in the singular, although the subject is in the plural. This irregularity most likely is due to the fact that the penalty clause is a frozen technical term.

similar terminology, are known from cuneiform law from diverse periods and locales.[3] Deut. 22:22 states:

> If a man is caught having intercourse with a married woman, both that man—who had intercourse with the woman—and that woman shall die. You must destroy evil from Israel.[4]

The inclusion of this statute within a series of sex laws suggests an interesting comparison with Babylonian law.[5] Deut. 22:22 is followed (vv. 23–27) by cases of intercourse between a man and a woman who are betrothed. Correspondingly, the case of adultery in the Laws of Hammurapi (LH 129), in which the perpetrators of the act are caught *in flagrante,* is followed (LH 130) by a case involving intercourse between a betrothed couple. LH 131–132 continue this catalogue of sex laws with cases involving unsubstantiated accusations of adultery. Now in view of the foregoing correspondences between LH 129–130 and Deut. 22:22–27, we would have expected laws similar to those which appear in LH 131–132 to have their reflex in the Deuteronomic corpus. However, such biblical cases as deal with unsubstantiated accusations of adultery appear in Num. 5:11–31. They have been included in the corpus of ritual praxes found between Lev. 1:1 and the benediction in Num. 6:22–27. This collection is formally set off from surrounding context by the following *inclusio*:[6]

> Exod. 40:33b *wayᵉḵal Mōšeh 'et hammᵉlā'ḵāh*
> "And Moses completed the work" (sc. of the tabernacle)

3 Cf. the Laws of Eshnuna 28, the Laws of Hammurapi (LH) 129, and text IM 28051 according to the re-interpretation of S. Greengus in "A Textbook Case of Adultery in Ancient Mesopotamia," *HUCA* 40–41 (1969–70), pp. 33–44. Laws and rights of the enraged husband vary.

4 The Hebrew stem *mṣ'* must be rendered "caught," as has been convincingly established by S. Iwry, "והנמצא" A Striking Variant Reading in IQIs[a]," *Textus* 5 (1966), pp. 33–43. Iwry also showed that in related cuneiform laws the corresponding term is *ṣabātu,* "to catch." The stem *mṣ'* is the legal "catch-world" of the entire corpus of sex laws in Deut. 22: 13a29; cf. 22: 14, 17, 20, 22, 23, 25, 27, 28.

5 The questions of comparison and origin in cuneiform and biblical laws considered separately and together are difficult but important. See the remarks of A. Goetze, "Mesopotamian Laws and the Historian," *JAOS* 69 (1949), pp. 115–20. We shall return to this question in Section V below.

6 This use of the *inclusio* is similar to the repetitive resumption first studied by C. Kuhl, "Die 'Wiederaufnahme'—ein literarisches Prinzip?", *ZAW* 64 (1952), pp. 1-11. This phenomenon, with other features of this paper, will form the basis of a comprehensive analysis of structural techniques in the Bible being completed by S. Talmon and this writer.

Num. 7:1a *wayᵉhî bᵉyôm kallôt Mōšeh lᵉhāqîm 'et hammiškān* "And when Moses completed the erection of the tabernacle"

The incorporation of Num. 5:11–31 within this diverse priestly corpus is apparently motivated by the fact that the ordeal which accompanies accusations of adultery is performed by a priest (v. 15), in the tabernacle (v. 17), together with various ritual offerings (vv. 15, 18, 25, 26). Nevertheless, the relationship of Num. 5:11–31 to the laws in Deut. 22:22–27 and LH 129–132 is a matter of interest, and will occupy our attention in a latter stage of the discussion.

I. Num. 5:11–31 is a valuable document among the ritual and legal prescriptions of the Hebrew Bible. Its value derives from the fact that it has preserved both the praxes and oaths of the ordeal imposed on a woman accused of adultery. This combination of sacred act and sacred word is common among the recovered rituals of the ancient Near East;[7] but there are regrettably few examples in the Hebrew Bible. Num. 5:11–31 is a notable exception; so is Deut. 21:1–9, which prescribes the praxis and oath of absolution in cases of unaccountable homicide.[8] Otherwise, the *verba sacra* which accompanied ritual praxis have not been preserved. This situation is presumably due to the type and nature of the received texts themselves. Nevertheless, commentators of the stature of Y. Kaufmann have concluded that the priestly praxes within the biblical cult were conducted in silence.[9] This position is not without methodological difficulties. It presupposes that the received descriptions exhaust the

7 The Mesopotamian material is plentiful. Representative is E. Ebeling, *Die Akkadische Gebetsserie "Handerhebung"* (=HH), Deutsche Akademie d. Wissenschaften, 20 (Berlin, 1953) where the incantation-prayer, or *šiptu*, is separated by a transverse line from the ritual found at its conclusion. The ritual prescription opens with "Its ritual," written *kikiṭṭušu* (e.g. 15:26) *or epuštušu* (e.g. 19:13, 65:27). The bifurcation: *šiptu-epuš annam* is frequent in L. King, *Babyl. Sorcery and Magic.* On a wider level, special Ritual tablets were added to such incantation series as e.g. *Maqlû* (see G. Meier, *Die Beschwoerungssammlung Maqlu, Archiv fuer Orientforschung* Beiheft, 2, 1937), or *Šurpu* (see E. Reiner, *Šurpu, AFO* Beiheft, 11, 1958). A. L. Oppenheim has produced a Ritual Tablet for the Assyrian Dream Book (see "The Interp. of Dreams . . ." *Proceedings of the American Philosophical Society*, 46, 1955); cf. his "Analysis of an Assyrian Ritual (KAR 139)," *H R* 5 (1966), pp. 250–326, where both praxis and incantation are explicitly prescribed.

8 This text, its Near Eastern background and its theological refocusing, has been well-studied by A. Roifer, "The Breaking of the Heifer's Neck," *Tarbiz* 31 (1961), pp. 119–43 (Hebrew). Deut. 26 offers another example of this combination of act and word.

9 *The Religion of Israel*, ed. M. Greenberg (Chicago, 1960), pp. 303f; *Toledoth Ha-Emunah Ha-Yisra'elith*, V, 476–78 (Hebrew).

scenario of a ritual. Were the Psalms totally divorced from cultic events in ancient Israel, in contrast to the rituals of Mesopotamia and the Second Temple? Texts like Num. 10:35–36 or I Chron. 15:26–16:36 suggest otherwise. It is, further, hard to imagine that the ritual described in Lev. 16 was without an accompanying prayer—especially in the light of v. 21 and Mišnah Yoma 4:1–2.[10] Finally, Kaufmann has unduly complicated his own case insofar as he classified all verbal-complements to ritual praxis as "magical," and understood magic in a pejorative sense. At all events, a text like Num. 5:11–31 warrants a more cautious judgment relative to the conjunction of *hieros logos* and ritual praxis in the Israelite cult.

But despite this exemplary preservation of cultic procedure, numerous difficulties obscure the exegesis of Num. 5:11–31. Confusions as to the correct sequence of the ordeal already beset early Rabbinic sources.[11] In addition, generations of commentators have attempted to elucidate the laws, rituals, and the redactional processes preserved in this text. The central concern of our study will be to further clarify the various aspects of Num. 5:11–31. In the process of our analysis, we intend to formulate a new methodological approach, one which will utilize a number of hitherto unnoticed legal and structural analogues within both the Hebrew Bible and cuneiform texts. As background for our analysis of Num. 5:11–31, a brief resume of the present state of scholarship is necessary.

II. The text of Num. 5:11–31 has been subjected to critical analysis by such scholars as Stade,[12] Carpenter,[13] Baentsch,[14] and Press.[15] Numerous difficulties have been discussed. In their various analyses, they stressed repetitions of discrete actions (as the approach before YHWH, vv. 16, 18; the oath, vv. 19, 21; the draught, vv. 24, 26–27; and the meal offering, vv. 15, 18) and/or variations in technical terminology (as the meal

10 Lev. 16 has been studied in the light of Assyrian ritual analogues by B. Levine, "Kippurim," *Erez-Israel* 9 (1969), pp. 88–95 (Hebrew).

11 Cf. Mishnah Soṭa 3:2.

12 "Beitraege zur Pentateuchkritik," sec. 3 "Die Eiferopferthora," *ZAW* 15 (1895), pp. 166–75.

13 *The Composition of the Hexateuch,* J. Carpenter and J. Harford-Battersby, 1902, p. 191.

14 *Exodus, Leviticus und Numeri, HKAT,* 1903, 363f. Also in 1903, Holzinger, *Numeri.* Reflecting this literary analysis with a broader panorama, J. Morgenstern, "Trial by Ordeal among the Semites," *HUC Jubilee Volume,* 1925. Other comparative data has been collected by: Hempel, s.v. "Ordal," *Religion in Geschichte und Gegenwart*²; *ibid.,* s.v. "Gottesurteil" in *Reallexion der Vorgeschichte* T.H. Gaster, *Myth, Legend and Custom in the Old Testament* (N.Y., 1970), pp. 280–300.

15 "Das Ordal im alten Israel," *ZAW* 51 n.f. 10 (1933), pp. 121–140, 227–55.

offering, vv. 15, 18; and *'azkārāh*-offering, vv. 15, 18). Starting primarily from his assumption of "two parallel introductions" (vv. 12–13, 29–30). Stade divided the "zusammengesetzten Character der Eiferopferthora" into two distinct sources.[16] G. B. Gray summarized the assured results of exegesis on Num. 5:11–31 for his generation. He noted that "the text has either been interpolated and otherwise modified, or it rests on a compilation from two parallel but distinct *tôrôth.*"[17] Accordingly, such recent commentators as North have concluded that the present text reflects a harmonized redaction—both with respect to the quantity of documentary sources and the degree to which the ordeal is magical or not.[18] At this point, however, we must turn to another putative contradiction which has been generally accepted.

Stade spoke of the lack of harmony between vv. 12–13 and v. 14. Verses 12–13 state decisively that the woman is guilty, whereas v. 14 leaves the case open. This judgment supplemented his above-noted contention regarding two introductions, and was a key factor in his division of the text into two sources. Their introducions are: A. vv. 12–13, and B. vv. 14, 29–30. Verse 30, which replicates v. 14, reflects the original elements of source B. It was presumably transferred to its present position by a later redactor, and supplemented with an independent introduction (v. 29).[19] The absence of any introduction at v. 14 left this vestige of source B without "motivation"—and "contradictory" vis-à-vis source A.

But while Stade has insightfully observed a relationship between vv. 12–13 and vv. 14, 29–30, he has confused an explanation of the origin of the "contradiction" between vv. 12–13 and v. 14 with an explanation as such. More must be said. The relationship between the prologue and epilogue of Num. 5:11–31 needs to be thoroughly reconsidered. The reconstruction of documentary sources established by Stade, and followed *mutatis mutandis* by many scholars,[20] led to a complete dissection of the text. Exegesis was strained to account for the present redaction of Num. 5:11–31. More fundamentally, such analysis ignored those stylistic and form-critical elements which are of decisive importance for the exegesis of prescriptive texts in the priestly corpus. It is to a reassessment of this text, and its reinterpretation on the basis of both inner biblical and ancient Near Eastern evidence that we must now turn. The stylistics of the legal formulation in Num. 5:11–31 requires attention

16 Stade (*supra,* n. 12), p. 167.
17 *Numbers, ICC* (Edinburgh, 1903), p. 49.
18 See *Numbers, Old Testament Library* (London, 1968), p. 49.
19 Stade (*supra,* n. 12), pp. 167–168; 172.
20 See e.g. R. Rendtorff, *Die Gesetze in der Priesterschrift* (Göttingen, 1963), pp. 62–63.

first. Such an analysis will clarify the particular conjunction of the laws involved, and will prepare the way for their later interpretation.

III. Biblical legal terminology had two means of introducing the protasis of casuistical case law: a) *'îš 'îš kî/'ādām kî,* "If a man...;" and b) *'îš 'îš 'ăšer,* "A man who..." Each formula is characteristically followed by a verb.[21] Their Akkadian interdialectal forms are *šumma awīlum,* and *awīlum ša,* respectively.[22] The first of these biblical formulations, *'îš 'îš kî,* occurs in Num. 5:12. Its purpose is to introduce the case and prescribe its adjudication. Further, in biblical legal expression, subordinate and contrastive cases are conventionally introduced by the particle *'im.*[23] The translation of this technical term is "or"/"if." However, what is of specific importance for our stylistic analysis is the fact that subordinate cases can also be introduced by the particle *waw.* This feature has the same meaning as *'im* and occurs frequently in biblical law, as may be noted by such sequences as: Lev. 15:2, 19; 17:8, 10, 13; 18:6, 18 ff.; 20:2, 4, 9 ff.; 24:15 ff.; Num. 5;6, 8; 6:2, 9; 9:10, 13.[24] This stylistic observation bears decisively on our analysis of Num. 5:11–31. We suggest that the occurrence of the legal particle *w(aw)* at v. 14 explains the conjunction of vv. 12–14 as two separate but related laws. Verses 12–13, introduced by the protasis *'îš 'îš kî,* construe a law distinct from, but formally related to, the case presented in v. 14. So interpreted, the conjunction of these verses reflects a convention of casuistical legal formulation, not two redacted sources.

We are now in a position to carry our analysis of the formulary of this text a step further. To do so, an additional stylistic convention must be observed. S. Talmon has studied the "Synonymous Readings in the Textual Traditions of the Old Testament."[25] The investigation focused on the substitution of words and phrases used synonymously and interchangeably with each other in two parallel passages—either within the MT alone, or within the MT and the Dead Sea Scrolls. Talmon dealt with nouns and verbs; we wish to supplement his analysis with respect to particles. It will be noted from the examples cited below that the

21 But the verb can precede the noun as in Exod. 21:2. On the functional analogy of the temporal sequences of the verbs in casuistical formulations see S. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law, VTS* 18 (Leiden, 1970), p. 117, n. 1.

22 See the discussion in Paul (*supra,* n. 21), Appendix II.

23 Subordinate clauses in Akkadian are introduced by *kī;* cf. W. von Soden, *Grundriss d. akk. Grammatik* (Rome, 1952), p. 215.

24 It should be noted that *waw* functions as contrastive in such disjunctive legal series as Ezek. 44:22 and Hag. 2:12. Similarly, such a reading is suggested for the oaths in Judg. 11:31, as already noted by the medieval exegete R. Kimḥi.

25 As cited, *Scripta Hierosolymitana* 8 (1961), pp. 335–83.

particles *w*(*aw*) and *'ô* are used either synonymously in the same case (example a), or interchangeably in parallel passages (example b).

(a) Num. 9:9–14 states the law that a second (v. 10) "Paschal offering to YHWH is enjoined if a man or his posterity is either defiled by a corpse *or* (*'ô*) on a long journey." There is no other mitigating circumstance, as v. 13 makes clear: "but if that man is either pure *or* (*waw*) not on a journey, and refrains from the paschal offering—such a man will be cut off from his kin."

(b) Lev. 20:27 formulates a polemic against divination by the medium of a "ghost *or* (*'ô*) familiar spirit." In the parallel passage, Deut. 18:11, the particle used is *waw*.

Just as our recognition of the formulaic sequence *'îš 'îš kî*/*w*(*aw*) elucidated the bipartite structure of the laws in vv. 12–14, so the recognition that the particles *'ô* and *w*(*aw*) are interchangeable clarifies the sequence *'ăšēr*/*'ô* in vv. 29–30. Consequently, vv. 29–30 emerge as two separate but related laws. These cases are precisely symmetrical in structure and terminology to the two cases which appear in vv. 12–14. Moreover, both formulations are followed by a description of the ordeal; vv. 15–28 in the one case, vv. 30a–31 in the other. But despite the symmetry of structure and content, the formulation which appears in vv. 29–31 is unquestionably more terse. From a formal point of view it would appear that vv. 29–30 recapitulate the opening cases by means of a topical summation of their constitutive elements. This interpretation of the relationship between vv. 29–30 and vv. 12–14 puts the entire unit of Num. 5:11–31 in a new light. With it we come to the core of the form-critical issue, one which opens up a wider field of vision for Num. 5:11–31 in particular, and prescriptive rituals generally. We choose to recognize in the topical resumption found in vv. 29–31 a biblical analogue to the scribal phenomenon of a concluding subscript. This feature has long been known to cuneiform scholars, but its significance for the clarification of structural issues in biblical literature has not been explored. An explication of the subscript, and its bearing on Num. 5:11–31, must now be considered.

IV. A. Rainey classified Lev. 6:1–7:38 as a prescriptive ritual text which gives an Administrative order of rituals, in contrast to the Didactic order in Lev. 1:1–5:26.[26] He correctly noted that each sacrificial ritual is defined as a *Tôrāh*, or "instruction." Thus each new prescription (Lev. 6:2, 7, 18; and 7:2, 11) is introduced with the formula: "This is the *tôrāh* of the . . . (sacrifice)." This series of prescriptive rituals is followed

26 "The Order of Sacrifices in Old Testament Ritual Texts," *Biblica* 51 (1970), pp. 307–18.

by a separate document, the initiation of the Aaronids (Lev. 8–9). B. Levine has interpreted it as a narrative descriptive ritual,[27] But what is significant for the present discussion is that the preceding series of sacrificial prescriptions in Lev. 6–7 concludes (v. 37) with a *resumptive subscript* of all the *tôrôt* detailed. This summation opens with the formula "This is the *tôrāh* as regards the... (sacrifices)," and recapitulates the topics of the preceding rituals.

Subscripts which recapitulate the constitutive contents of an "instruction" frequently appear in the prescriptive ritual texts of the Hebrew Bible. The formulation of these summations have a standard introit: "This is the *tôrāh* of..." For the sake of clarity and brevity we shall limit our discussion of this phenomenon to the prescriptive rituals in Lev. 11–15.

Lev. 11 distinguishes permissible from forbidden foods in accordance with its taxonomy of the species, and concludes in vv. 46–47 with a topical summation of its contents. Lev. 12 enumerates the varying periods of post partum pollution following male (vv. 1–4) or female (v. 5) births. As with cases of impurity generally, reunion with the community was preceded by a sacrifice. Such is prescribed in vv. 6–7a. The subscript follows in v. 7b together with an amelioration of the prescribed sacrifice whensoever it would exceed the woman's financial means (v. 8). Lev. 13 follows and deals with diagnostic techniques and rituals concerned with various skin blemishes and their miasmic properties. This extensive document concludes at v. 59 with a topical resumption of the categories discussed. As in cases of impurity, Lev. 13 is followed by a prescription of rituals which precede reunion with the community. In this particular case (14:2–20), the prescription begins (v. 2) with the *tôrāh*-formula (cf. Chs. 6–7) and is followed by an amelioration of the sacrificial obligation whensoever it would exceed the individual's financial means (vv. 21–31). The resumptive subscript in v. 32 refers to the recuperative stage only. A new stage is operative from Lev. 14:34; these laws of blemishes and miasma are formulated for conditions which would obtain in the Land of Canaan. This entire text concludes with a resumptive subscript in vv. 54–57. The *inclusio* of the formula in vv. 54a and 57b recalls the formulation in Num. 8:84a and 89b which also brackets a concluding summation. And finally, Lev. 15 follows with prescriptions concerning polluting discharges; including running sores on the male member (vv. 2–15), emission of semen (vv. 16–18), and menstrual or other flows (vv. 19–26). The subscript appears in vv. 32–33.

27 "The Descriptive Tabernacle Texts of the Pentateuch," *JAOS* 85 (1965), pp. 307–18.

It will be noted that in all cases from Lev. 11–15, a resumptive subscript follows the prescriptive ritual. Each resumption is brief and summary; only the constitutive topics are noted. Even in those cases where a *tôrāh*-formula introduces a prescription (Lev. 6–7; 14:2), the text is also concluded by a topical resumption (cf. Lev. 7:37; 14:32). This internal similarity of Lev. 11–15 is all the more striking insofar as it is formally distinguished from the surrounding context by an *inclusio;* whereby Lev. 16:1 (cf. the distinct opening in 16:2) recapitulates the death of the two sons of Aaron mentioned in Lev. 10:1–2. Thus both as regards the literary inclusion which envelopes it, and the formulaic summations which constitute its parts, we are led to the conclusion that Lev. 11–15 reflects residual archival techniques, and is a Levitical "series" on the subject of purity and danger.[28]

To make the form-critical argument more salient we shall adduce analogous archival techniques from Akkadian prescriptive incantation-prayers and rituals. Thus, each text of the *šu.ila*-series of incantation-prayers characteristically begins with the formula *šiptu.* The text itself is formally separated from a title or topic line which opens with the formula *inim.inim.ma,* and is set off from the foregoing prayer by a transverse line.[29] Similar form and terminology can be found *inter alia* in other prescriptive incantations and rituals, e.g., in a series of texts against underworld demons,[30] in the *Maqlû*-series[31] and in the *Lamaštu*-series.[32] Precisely this phenomenon of resumptive summary is what is

28 See *supra,* n. 6.

29 E. Ebeling, HH. The type is *šiptu* + incantation-prayer + *enimnim-ma* + title (and sometimes ritual). On this feature, see the remarks by A. Falkenstein in his comprehensive study *Die Haupttypen der Sumerische Beschwoerungen, Leipziger Semitische Studien* (=LSS) n.f. I, 1931, pp. 4–7; and taken up by W. Kunstman in his specific typological study of this series *Die Babylonische Gebetsbeschwoerung,* LSS, n.f. II, 1932, esp. pp. 3–6.

30 E. Ebeling, *Tod und Leben Nach den Vorstellungen der Babylonier* (Berlin, 1931), texts collected on pp. 146–50. The form: *šiptu* + incantation + *enimnim-ma* + title. Here the beginning is broken. But these incantations were surely prescriptive, as similar incantations against *eṭimmu*-demons in E, and introduce the incantations begnning with *šiptu* with this long introit: *šumma amēlu eṭimmu iṣbat-su-ma ina zumri-šú,* "If an underworld demon has (become) fastened to the man's body . . ."

31 G. Meier, *op. cit.* Note the frequent structure of *én* + incantation-prayer + *inim. nim-ma* + general title in Sumerian, as II: 1–18; 19–75. That the titles in lines 18 and 75 serve for the preceding incantation respectively is clear when it is noted that in the Ritual Tablet, these texts are referred to (IX:28; 29) by their incipits in Akkadian and are followed by reference to the same ritual which followed the Sumerian phrase in the text itself.

32 D. Myhrman, "Die Labartu-Texte," *Zeitschrift fuer Assyriologie* 16 (1902), pp. 141–200 follows a typology similar to that in notes 29–31, above.

found among the incantations in the Ritual Tablets which accompanied the Assyrian Dream Book.[33]

Numerous additional examples might be cited from inventories, consignments, scholarly lists and the like. We shall present here several additional cases particularly because of their western provenience:

(a) The *Doppelurkunde* is the phenomenon of encasing a tablet in a clay envelope, sealed and inscribed with a summary of its contents.[34] L. Fischer long ago observed that an analogue to this feature may be found in the sealing techniques of the Aramaic papyri of Elephantine.[35] He further compared contemporary Egyptian and Greek phenomena; the later Rabbinic *geṭ mᵉquššar* (now attested in the Naḥal Ḥever materials);[36] and Jer. 32:6–15, which refers to a real estate contract *ḥātûm wᵉgālûy,* "sealed and open" (cf. Isa. 29:11f; Neh. 6:5).[37]

(b) Y. Muffs has elucidated the relationship between the Aramaic summaries found on Neo-Assyrian cuneiform receipts and records and the summaries and formulary which appear in the Elephantine papyri.[38]

(c) B. Levine has shown that Ugaritic inventories and consignments have archival total-lines similar to those found in Sumerian and Akkadian texts. We may add that such totals often appear as

33 See the edition of A. L. Oppenheim, *supra,* n. 7, pp. 300–304. The structure is *én* + incantation-prayer + *inim. nim-ma* + general title summation; cf. KAR 252, II: 19–23; 253; III: 4–17, 20–38, 47–51, 52–58.

34 This has been studied by various legal historians; see, most recently, E. Koffmahn, *Die Doppelurkunde aus der Wueste Juda* (Leiden, 1968).

35 "Die Urkunden in Jer. 32:11–14 nach den Ausgrabungen und dem Talmud," *ZAW* 30 (1910), 136–42.

36 See Y. Yadin, "Camp IV—The Cave of Letters," *Bulletin of the Israel Exploration Society* 26 (1962), esp. p. 214, n. 10 (Hebrew).

37 On this last, see the remarks of H. Gevaryahu, "Various Observations on Scribes and Books in the Biblical Period," *Beth Miqra* 43 (1970), pp. 368–374 (Hebrew).

38 See his important discussion in *Studies in the Aramaic Papyri from Elephantine* (Leiden, 1969), pp. 189–190 where the origins of the Elephantine formulary are established. Muffs also noted the Neo-Assyrian Aramaic docket summaries in L. Delaporte, *Épigraphes araméens* (1912), pp. 32, 38, and those which are found at Elephantine (cf. A. Cowley, *Aramaic Papyri of the Fifth Century,* 1921), and include deeds of removal (6:22), to a house (8:35), of money (10:23), of resignment of a slave (28:17). Such summaries are also found in the Arsham archive from Elephantine published by G. R. Driver, *Aramaic Documents* (Oxford, 1957). It would seem, then, that biblical literature has transformed a purely notational or archival practice onto a literary level.

topical summations on the sides of these tablets—obviously to expedite filing and cataloguing. He noted various biblical examples of total-lines as well.[39]

V. On the basis of the form-critical considerations just discussed, it is obvious that the cases cited in Num. 5:29–30 are a resumptive *tôrāh*-subscript to the cases presented in vv. 12–14. Thus v. 29 is a topical resumption of vv. 12–13, and v. 30a resumes the case in v. 14. Moreover, just as the ritual-ordeal in vv. 15–28 is the resultative apodosis of vv. 12–14, v. 30b is a topical excerpt of vv. 16b and 18a. As we noted above, the case of the unchaste woman (v. 29) is distinguished from the case involving a "fit of jealousy" (v.30a) by the particle *'ô*. According to the subscript, then, there is a *clear* bifurcation of two mutually exclusive but related laws. Both cases involve an allegation of unchastity, are without witnesses, and involve the honor of the husband. Thus, both in light of the precision with which subscripts resume the topics of a

In sum, Num. 5:11–31 fits precisely into the form-critical-structure adduced. Instead of two separate sources, with component additions and redactional harmonizations, two distinct cases emerge; to wit:

1) An allegation (vv. 12–13) of conjugal infidelity, apparently substantiated by probable cause, common knowledge, or *prima facie* evidence—but wherein the wife has neither been seen nor caught *in flagrante delicto* by her husband or witnesses; and
2) An allegation (v. 14) of conjugal infidelity based on suspicion, pure and simple. There is no reasonable justification for the allegation.

In both cases the allegation is adjudicated under the *tôrat haqqᵉnā'ōt;* although only the second refers to this term in its formulation. Some clarification of this terminology is thus in order.

A first step in this regard is to realize that "jealous" meant something different to the translators of King James than to us. A look at *A New English Dictionary* (1901) makes it clear that the inclusive sense of this term was one of attentive, zealous concern for (personal) prerogatives or possessions. It is precisely within this definition that the semantic range of biblical uses can be understood. Space does not allow a complete classification, although the following broad categories for the stem *qn'* can be made: a) as relates to divine indignation and attention to personal honor or uniqueness (e.g. Exod. 20:5, 34:24; Deut. 32:21 f., Ezek. 39:25); possessions or prerogatives (e.g., Num. 25:11; Isa. 42:13;

39 See his discussion (*supra*, n. 27), and references.

Ezek. 16:42; Zech. 8:2); b) as regards human indignation and attention to divine honor or prerogatives (e.g., Num. 25:11, 13; I Kings 19:10, 14); or personal honor and interests (e.g., Gen. 30:1, 37:11; Num. 5:11 *bis;* II Sam. 21:2). By extension, this concern may involve or include fury, anger, and passion (e.g., Ps. 37:1; Prov. 3:31; Eccles. 9:6). This semantic range of this term is illuminated by the Akkadian interdialectal correspondent: *na'ādu,* whose meanings include "attention," "scrupulous concern" and "zeal."[40] Thus *nādu* is used to express human attention to the will and prerogatives of a God.[41] Thus, it is frequently used in royal inscriptions to characterize the zeal of a ruler[42] for his protective deities, as in:

rē'u kēnu nādu ^{d}*enlil* ^{d}*marduk*
A righteous shepherd, zealous for Enlil and Marduk.

We suggest, therefore, that *tôrat haqq^{e}nā'ōt* means "the jurisprudence regarding (personal) zeal (or attention to honor)," and *rû^{a}ḥ haqqinn'āh* means "a fit of suspicious (zealous) indignation," or the like.

VI. In the preceding sections we attempted to establish the juridical bifurcation of the laws in Num. 5:12–14, 29–30 on the basis of stylistic and structural criteria from biblical and ancient Near Eastern literatures. An analysis of the contents of these cases followed. We may now expand our discussion on this issue, and turn to cuneiform law—a sphere which left its clear impress on biblical legal formulation and convention.

In the opening section we noted the similarity between LH 129–30 and Deut. 22:22–27 as regards both content and arrangement. We further observed that LH 131–32 continue the case arrangement with laws dealing with allegations of adultery. In contrast, the related biblical laws do not appear with Deut. 22:22–27, but in Num. 5:11–31.[43] Recognition of the juridical similarity between LH 131–132 and Num. 5:11–31 can now serve as the basis for the further clarification of the biblical cases. Not

40 This differs slightly from von Soden, *AHwB,* 8, 693, s.v.

41 See Lambert, *Babylonian Wisdom Literature* (Oxford, 1960) pp. 86, 264; or *HH* 102, 20, *inter alia.*

42 See the texts collected s.v. *na'ādu and rē'u* in M.-J. Seux, *Épithètes Royales Akkadiennes et Sumériennes* (Paris, 1967).

43 Note the remark of T. Meek in *ANET,* p. 171, n. 103 ad LH 132: "cf. Num. 5:11–31." Our discussion will be limited to LH. It should be noted that unsubstantiated allegations of adultery are well-known in cuneiform law, e.g. U. 7739 Par 10, ii, 3–12 in J. J. Finkelstein, "Sex Offenses in Sumerian Laws," *JAOS* 86 (1966) pp. 369–70; Middle Assyrian Laws 17. All cases differ in detail and punishment.

only are the contents of these laws similar, but references to an oath and an ordeal further accentuate their affinity. LH 132 states:

> If a finger has been pointed at a man's wife because of another man, but she has not been caught lying with that other man, she shall leap into the River for the sake of her husband.

The public aspect of this accusation is to be contrasted with the private aspect in LH 131:

> If a man's wife was accused by her husband, but she was not caught while lying with another man, she shall make an oath by the god and return home.

What is of importance here is the similarity in form and content between LH 131–132 and Num. 5:12–14, 29–30. In LH 132, a public accusation has been made. The woman has not been caught *in flagrante delicto,* and there are no witnesses. Driver and Miles comment: "How the evidence is produced is hard to say, but the fact is probably known in the district."[44] Apparently the husband is not part of the accusation, or at least it doesn't originate with him. The intent of the water ordeal is ambiguous. It seems that its purpose is to establish *de jure* that which is "known" *de facto.* The motivation, "for the sake of her husband," presumably arises from his zealous concern for both her adjudication and his public exoneration. Similarly, in Num. 5:12–13, a public accusation has been made. The fact is "known," although the means for this knowledge can only be presumed. The woman has not been caught *in flagrante delicto,* there are no witnesses, and the husband is not originally involved. Here, too, the intent of the draught-ordeal is ambiguous, It seems that its purpose is to esablish *de jure* that which is "known" *de facto.* The motivation whereby the husband goes to trial is explained by the inclusive rubric: *tôrat haqqᵉnāʾōt,* viz. his zealous concern for both his wife's adjudication and his own exoneration (cf. v. 31).

A similar homology of legal content extends to LH 131 and Num. 5:14. In LH 131 there is a private accusation, based on a husband's suspicions of his wife's conjugal infidelity. The husband is directly involved, but grounds for the allegation are not stated. The praxis is an oath ordeal. Similarly, Num. 5:14 is a private accusation based on a husband's suspicion of his wife's infidelity. Here, too, the husband is directly involved, but the grounds for the allegation are not stated. An oath and draught-ordeal are prescribed. As in the first case, the aggrieved husband

44 *The Babylonian Laws,* I (Oxford, 1952), p. 284.

brings his wife to trial and is directly involved in the proceedings. It would seem, then, that in biblical law—whether the allegation is based on public hearsay or private suspicion—it is the responsibility of the husband to present the arraignment and seek umbrage.

In the foregoing analysis we attempted to establish that the two mutually exclusive but related laws in LH 131–132 have the same juridical bifurcation argued for Num. 5:12–14. No final proof suggests itself, but the similarity in form, content and case arrangement is most compelling. Nevertheless, a complexity remains: are the separate praxes of oath and water-ordeal in LH 131–132 conflated into a composite ritual in Num. 5:11–31? We think not. Evidence from cuneiform sources suggests a different solution, and runs counter to the assumption of "various" praxes preserved in the text.[45]

Any elucidation of this problem must consider the following evidence: In the ancient Near East water-ordeals were frequently preceded by oaths. Two types have survived. In the one type, exemplified in cases from Elam,[46] the water-ordeal is employed to resolve a deadlock arising out of conflicting testimonies (much as the *niš ilim* ordeal at Nuzi was executed when and after court evidence conflicted);[47] in the other, both the oath and the water-ordeal are two aspects of one praxis. Thus, in a middle Assyrian text, an individual who is to undergo the water ordeal swears to his innocence and invokes the gods to vindicate him.[48] Such an oath as is embedded in this incantation-prayer might well have ac-

45 Other magical aspects of the praxis are suggested from various cuneiform analogues: (a) The text, v. 18, states: *pāra*ᶜ in connection with letting loose the woman's hair. A parallel can be found in W. von Soden, "Eine altassyrische Beschwoerung gegen die Daemon Lamastu," *Orientalia* 25 (1956), pp. 141–48, Rev. 16: *pè-ra-sà wa-ša-re-at* (cf. *ibid.*, *Revue Assyriologique*, 18, p. 166, Rev. 15); (b) For the case of "dust mixed together with sacred water," see E. Ebeling, "Besch. gegen d. Feind u. d. Boesen Blick," *Archiv Orientalni* 17 (1949), pp. 191–95 (for a praxis using "dust from the library," see G. Meier, *Zeitschrift fuer Assyriologie* 45 (1939), pp. 200–201); (c) In an incantation praxis Ea tells Marduk to use a "pure draught" to counter a charm, see Ebeling, *Orientalia* 22 (1953), pp. 358–361; (d) References to a *kilkillu*-vessel which contained water used in an oath praxis may be found in R. Harris, review of J. J. Finkelstein, *Cuneiform Texts in the Brit. Mus.*, pt. 48 (London, 1968), in *Jour. of the Econ. and Soc. Hist. of the Orient* 13 (1970), pp. 315–316; (e) The ritual of waving seems to be a magico-ritual praxis, cf. II Kings 5:11 and the myth of Telepinus in Gaster, *Thespis*², p. 310. The biblical form *hēnîp*, there and in Num. 5:25 (cf. Isa. 30:28) has its interdialectal form in Ug. *šnpt*, see D. Hillers, *BASOR* 198 (1970), p. 42.

46 V. Scheil, *Mémoirs de la mission archéologique de Perse*, XXII (Paris, 1930), p. 162.

47 Cf. *inter alia*, E. Speiser "Nuzi Marginalia," Or 24 (1956), pp. 15–23; E. Drafkorn, "Ilani Elohim," *JBL* 76 (1957), pp. 216–24.

48 E. Ebeling, *Tod u. Leben*, pp. 96–99 (=VAT 9962, No. 134, rev. 5–9).

companied a case like LH 132, but is absent owing to the nature of the received legal source.

Even more illuminating with respect to the praxes in Num. 5:11–31 is another cuneiform text from the middle Assyrian period which combines both oath and draught-ordeal. The fragment (VAT 9962) is presented as published by Ebeling,[49] with our translation:

1. *. . . . aḫ-ḫi-ri ki (?)-ma (?) siparri*
2. *[ḫi]-pí . . tu . . . te pâni-šu i-za-zu marê (meš) ta-me-tu*
3. *[ḫi]-pí i-ḫab-bu-ú i-šat-tu-ú i-tam-mú-u i-za-ku-ú*
4. *[ḫi]-pí NIGIN (=napḫar?) aḫ-tu-bu áš-ta-ti at-ta-me a-zu-ku*

. . . . as copper
(Broken) . . . before him stand the litigants
(Broken). . . they will draw (water), drink, swear and be pure
(Broken) Everything (?); I have drawn (water), drunk, sworn and am pure.

What is noteworthy for our purposes is that the draught-ordeal is accompanied by an oath and an asseveration of innocence. The sequence of verbs: *šatû*, "drink"; *tamû*, "swear": *zakû*, "be pure/innocent," are precisely the interdialectal correspondences to the verbs used in Num. 5:11–31; *viz. šty*, "drink"; *šb'*, "swear"; *nqy* and *ṭhr*, "be pure/innocent." The content and terminology of the ordeal in Num, 5:11–31 is clarified by this cuneiform document,[50] as is its combination of oath and ordeal. When we add to this evidence the legal formulary of the casuistical framework, the archival subscript, and the interlocking concatenation of laws in LH 129–32 and Deut. 22:22–27 + Num. 5:11–31 respectively, the cumulative threads of our analysis are firmly brought together.

VII. Our discussion of the cases of witnessed (Lev. 20:10; Deut. 22:22) and unwitnessed adultery (Num. 5:11–31) utilized legal sources exclusively. It remains to consider the thematic reflection of these laws

49 *Supra*, n. 48, p. 95 ll. 1–4.

50 The sequence in vv. 24–27 remains a notorious crux, if the commentaries are any witness. The issue was first debated in rabbinic courts, see Mishnah Sota 3:2. The problem may possibly be resolved by regarding v. 27a as a repetitive resumption of the text in v. 24—thereby bracketing this supplementary or clarificatory insert. On this principle, see Kuhl, (*supra*, n. 6). Philological problems remain as well. On attempts to analyze the *mārîm*-waters, see G. R. Driver, "Two Problems in the OT Examined in the light of Assyriology" (sec. II, *Syria* 33 (1956), pp. 73–77; and recently, J. Sasson, "Numbers 5 and the 'Waters of Judgment.'" *Biblische Zeitschrift* 16 (1972), pp. 249–51.

in the non-legal portions of the Bible[51]—both because it preserves aspects of the laws not otherwise attested, and because of the insight it provides concerning the concrete theology of ancient Israel.[52] In this legal motif, the separate aspects of the above cases, and their symbols, are not altogether distinguished. In the divine or prophetic accusations of covenantal infidelity, Israel is caught *in flagrante delicto,* so to speak; divine suspicion, or zeal, is not without foundation. Consequently, we shall note that traces of the draught-ordeal appear in various forms in this motif. On the one hand, it appears in cases of witnessed adultery; a combination originally illogical and juridically unnecessary. On the other hand, this vestige of the ordeal splits off from its judicial function in cases of alleged adultery, and becomes a symbol of the fact of divine judgment. In such cases, however, the original setting of the draught-ordeal is not altogether obscured.[53]

The motif of a faithless Israel who whores after false gods, and confuses Ba'al with YHWH, is retrojected in the period of the desert wanderings—where it assumes a paradigmatic form. Num. 25:1–15 describes the scandalous episode of the sins with Ba'al Peᶜôr. This theological motif of infidelity and divine anger is highlighted through the figure of Phineas the priest. Witnessing the fornication of an Israelite and a Moabitess in the course of their worship of Ba'al, he drew his lance and stabbed them *in flagrante.* Phineas was rewarded for this display of indignant zeal (stem: *qn'*) on YHWH's behalf (cf. v. 11).

Aspects of this legal motif are more fully developed in prophetic literature. Hos. 1–2 dramatizes Israel's infidelity to YHWH, and attraction to Ba'al (2:10, 15, 18–19), through a symbolism wherein the prophet

51 An early tradition, continued by many moderns, already connected the praxis in Exod. 32:20 with Num. 5; see *Liber Antiquitatum Biblicarum,* XII, 7 (ed. G. Kisch, Notre Dame, 1946, p. 148), *Targ. Yerushalmi, Midrash Haggadol* (ed. M. Margolioth, Jerusalem, 1956, p. 690), *TJ Aboda Zara,* ch. 3, Halakha 3, and the commentaries of Rashi, Rashbam and Ibn Ezra. The reasoning of Ibn Ezra was: "For otherwise how did the Levites know who the idolators were?" Deut. 9:21 is of no help here. The dissenting opinion states (e.g., W. Beyerlin, *Origins and History of the Oldest Sinai Traditions,* Oxford, 1965, pp. 131–132 and nn. 553–554; p. 559) that the issue is not one of guilt but one of a praxis intended to dispose of the numinous powers of the idol.

52 The ensuing discussion is necessarily brief. I am completing a comprehensive study on this and related phenomena. A seminal methodological study of one particular motif can be found in Sh. Talmon, "The 'Desert Motif'. . .," *Biblical Motifs,* Brandeis Texts and Studies, III (Cambridge, 1966), pp. 131–63.

53 The connection between the cup-figure and Num. 5 was already made by Press (*supra,* n. 15). However, his failure to connect it with an integrated series of verbs left his remarks both unmotivated and somewhat schematic. For other attempts to explain the cup, see H. Gressman, *Sellin Festschrift* (Leipzig, 1927), and U. Casutto, *Orientalia* 7 (1938), p. 283.

marries a whore (1:2; cf. 3:1, an adulteress). By means of this image, YHWH arraigns Israel (stem: *ryb,* 2:4) for adultery (stem: *n'p,* 2:4); uses the formula of divorce (1:6, 9, 2:4); and threatens to strip (stem: *pšṭ*) and kill her (2:5).[54] In short, Israel has abandoned her first husband (2:9), the love of her youth (stem: *n'r,* 2:17). YHWH was Israel's *ba'al*-husband (2:18), but she proved unfaithful, and was caught *in flagrante* with her lovers. But YHWH will have compassion (stem: *rḥm,* 2:25) on Israel and will renew his covenantal love (2:18–25). The use of the marriage formula (2:25), which reverses the divorce, accentuates the covenant renewal here, and illuminates the theological undertone inherent in the use of this "Sinaitic" formula in Lev. 26:12.[55]

Jeremiah (2–3) also arraigns Judah (stem: *ryb,* 2:9,29) for her false alliances (2:18, 36) and prostitution to false gods (2:23–26). To accentuate this infidelity, the marriage formula is mockingly used (2:27). YHWH is infuriated, for Israel was his bride from her youth (stem: *n'r,* 2:2). Judah is compared to her sister Israel (3:6–10). Just as the latter was adulterous (stem: *n'p,* 3:8) and divorced by YHWH, so will this be the fate of adulterous Judah. Israel abandoned her first (cf. 3:1) *ba'al*-husband (cf. 3:14), and was caught *in flagrante* with her lovers. But YHWH will have compassion on Israel (stem: *rḥm,* cf., 31:13) and will renew his covenantal love (3:11–25). The use of the marriage formula (3:5, 19; cf. 31:32) underscores the legal background of the arraignment and covenant renewal.

Similarly, in a series of disconnected pronouncements, Deutero-Isaiah uses the imagery of conjugal infidelity to objectify Israel's relationship with YHWH. Israel adulterated (stem: *n'p,* 57:3) her covenant with YHWH (57:3–14) and was divorced (50:1), She was his bride from her youth (stem: *n'r,* 54:6), but abandoned (54:6) her first *ba'al*-husband (54:5). But YHWH will have compassion (stem: *rḥm,* 54:7–8) on his abandoned bride and will renew his marriage with her (62:4–5). These various elements gain additional significance in the light of the pericope which appears in 51:17–23. Here YHWH refers to himself as the prosecutor of Jerusalem (stem: *ryb,* 51:22) who takes away the "cup of poison" which he had formerly given his people to drink. This specific conjunction of arraignment and draught, in the context of adul-

54 For illuminating parallels in cuneiform and Aramaic materials with Hosea and other prophets who share this legal motif, cf. C. Kuhl, "Neue Dokumente zum Verstaendnis von Hos 2:4–15," *ZAW* 52 (1934), pp. 102–109, and C. H. Gordon, "Hos. 2:4–5 in the Light of New Semitic Inscriptions," *ibid.*, 54 (1936), pp. 277–80; 55 (1937), p. 176.

55 The use of marriage and divorce formulae for illuminating Lev. 26 was first made by Y. Muffs, "Studies in Biblical Law, IV" (The Antiquity of P), *Lectures at the Jewish Theological Seminary,* 1965.

tery, divorce and marriage, suggests that the cup-figure is related to the ordeal in Num. 5:11–31. The original tool of the ordeal is here symbolic of judgment and exile. YHWH has indignantly charged Israel with adultery. The use of the draught as part of this legal motif gives it additional force. These disjoined images from the law of witnessed and unwitnessed adultery coalesce in the Book of Ezekiel, and certify, retroactively, the coherence and interpretation of the motif in Deutero-Isaiah.

In Ezek. 16, God informs (stem: *yd'*, 16:2; cf. Jer. 2:19) Jerusalem of her crime. Described is how YHWH pledged his troth to Israel (16:8), and married her in her youth (stem: *n'r*, 16:22, 43). But Israel committed adultery with foreign countries and gods (16:25–34). She was caught *in flagrante* by YHWH who, in his indignant zeal (stem: *qn'*, 16:38), charged her with the laws of adultery and bloodshed (*mišpeṭê nō'ăpôt wešōpekōt dām*, 16:38). The punishment of Jerusalem is that she will be stripped (stem: *pšṭ*, 16:39) and stabbed (16:40–41). By her excess, she has out-whored her sisters (16:46–58). But YHWH will recall (stem: *zkr*) the betrothal of her youth (stem: *n'r*, 16:59–63; cf. Jer. 2:2) and will renew his covenant with Israel.

This entire motif is taken up again in Ezek. 23 and further developed. The entire unit is preceded by the formal charge (stem: *yd'*, 22:2) that among the sins in which Jerusalem has been caught is that of adultery (22:11). This motif is developed in Ezek. 23 through the imagery of the whoring sisters (Samaria and Jerusalem, Ezek. 23:2, 4) in two separate units, vv. 2–27 and 37–49. In the first unit, the harlotry of the sisters, to foreign countries and gods, is a betrayal of the marriage of their youth (stem: *n'r*, 23:8, 19, 20). Jerusalem (23:22–27) is as guilty as her sister. YHWH has caught her *in flagrante*, and indicts her because of his indignant zeal (stem: *qn'*, 23:25). Jerusalem will be mutilated, stabbed (23:25), and stripped (stem: *pšṭ*, 23:26). In the second unit of the framework (23:36–49), the sisters are again accused of adultery (stem: *n'p*, 23:37, 43, 45) and indicted by the law of adultery (*mišpaṭ nō'ăpôt*, 23:45). Caught in the act, they will be stoned and stabbed (23:47).[56]

Enclosed between these condemnations are two additional units, vv. 28–31 and 32–34. They are followed by a conclusion, v. 35, which is similar in content to the conclusions of each of the units of the frame-

56 The form of death was not indicated in the legal compilations. It is also difficult to reconstruct the punishment on the basis of the motif. It seems that in case of adultery the husband divorced the woman, and she was stripped and stabbed. In some cases it seems that she was stoned and had her ears cut (cf. Ezek. 23:25, 47). Was all this part of one punishment? What about the reference to the removal of her breast in Ezek. 23:34, or the brand of harlotry mentioned in Jer. 3:3? What was, in fact, burned is also not clear from the various vestiges of the law in this motif.

work, vv. 27 and 48–49. In these middle sections, Jerusalem is given the "cup" of her sister to drink. Once again the draught is used as a symbol of judgment, and not as an aspect of an ordeal. Its connection with the legal background of adultery clarifies its force in this context, and illuminates those cases like Deutero-Isaiah where it occurs among separate oracles. Finally, it is noteworthy that the symbolic use of the cup-figure in other prophetic arraignments (e.g., Jer. 25:15; 49:12; 50: 22) employs the same key stems as appear in Num. 5:11–31.

The extension of the legal *topos* in Num. 5:11–31 as a motif for God's relationship to Israel is typologically similar to the extension of other socially based *topoi,* such as Suzereign-Vassal, Master-Slave, or Father-Son, together with their specific legal and/or familial terminologies. The socio-cultural matrix out of which such an image could arise is reflected in Hosea's condemnation of the syncretism with the Canaanite Ba'al-cult. In his polemic, Hosea acknowledges the popular syncretism of Ba'al as Lord and Husband with YHWH, insofar as he specifically rejects it in 2:18–19; as do Jeremiah (3:14, 31:31), and Isaiah (54:1; 62:4–5). It would thus seem that this *topos* has its background in Canaanite mythology, which dramatizes the relationship between Ba'al and his consort 'Aṯtart. In the Bible, continuation of this syncretism is evident in the paranomastic use of these terms to express fertility (e.g., *ba'altî* in Jer. 3:14; Isa. 54:5, and *'ašterôt* in Deut. 7:13; 28:4, 18, 51), and in the specific references to the continuous worship of 'Attart as *meleket haššamayîm* in Jer. 7:18; 44:17–19, 25.[57] It seems that, on the residual folk level, at least, many believed that YHWH had a consort, and worshipped him as a Ba'al.[58] The prophets inverted this mythologem to

57 The problem of identity is complex. Ishtar's epithet: *šarrat šamē,* "Queen of Heaven," is the interdialectal equivalent of Jer. 7:18; 44:17–19, 25 (K). The G in 44 agrees with the MT as against the G and T in 7:18. Presumably, these last versions preserved the early association of this goddess with the evening star. Do Jer. *loc. cit.* and the 5th c. Egyptian Aramaic text recording *mlkt šmyn* (cf. D. W. Thomas, *PEQ,* 82 [1950], pp. 13–14) reflect 'Attart? Assyrian influences on Egypt and Judea, and the MT use of *'aštōrôt* suggest this. Yet ᶜAnat, also a consort of Ba'al, was called *ba'latu šamêm(e) rāmêm(i),* "Mistress of the High Heavens" (see Ch. Virolleaud, *Comptes Rendus de l'Académie des Inscriptions et Belles-Lettres,* 1962, p. 109); and in her aspect as Carthaginian *Tenit* was called Juno Caelestis by the Romans. To increase complexity, 'Anat and 'Aṯtart (and 'Aṯirtu) were identified in the late Ramesside period (see I. Edwards, *JNES* 14 [1955], pp. 49–51). At all events, M. Dahood's suggestion (*Revista Biblica* 8 [1960], pp. 166–68), that the goddess is Šapaš, seems unlikely.

58 This syncretism continued in various forms, cf. Zeph. 1:4–5, a contemporary of Jeremiah, and Isa. 65:3. It may be noted that the verbal stem *zny,* "to whore," appears frequently to dramatize Israel's infidelity to Yahweh; especially in the motifs studied in section VII. G. Cohen has suggested that Exod. 13:14–15 hints at the marital relationship between Yahweh and Israel—since

their own ends: Israel was condemned as the harlot of Baʿal, having abandoned her covenant vows to be a faithful wife.

VIII. In conclusion, we may note the reflex of the law of adultery in Prov. 6:20–35. This entire unit is, we believe, an inner-biblical midrash on the Decalogue. Occasionally, citations from the Decalogue accompany prophetic accusations (Jer. 7:9; Hos. 4:2). What makes this case significant is that the various prohibitions are presented in the light of a general warning against adultery—or, more specifically, in the light of the seduction of false wisdom. This particular theme is dominant in Prov. 5 and 7 as well. Together with 6:20–35, these passages are in direct contrast with divine wisdom, Prov. 8–9.[59]

The unit opens with a stereotypic injunction to the "son" to heed the words of his father and mother, and to bind them close. These teachings will protect and accompany him when he goes on the way, when he lies down, and when he arises (6:20–22). Strikingly, it is elsewhere (Deut. 6:6–8) reemphasized that it is a father's duty to teach his son "these words" when he goes on the way, when he lies down, and when he arises. An Israelite should bind them close to him always. It would appear that these are the words of the Decalogue previously stated.

Among the words of the Decalogue, in addition to respect for parents, are the injunctions against adultery, theft and covetousness (Deut. 5:17–18). These transgressions follow in Prov. 6:25–35 with respect to the seductive wiles of the whore of wisdom. The adept of wisdom is counselled not to covet her beauty (6:25). Contact with her is adulterating. She is like a kinsman's wife: whosoever has intercourse with her will not be exonerated (stem: *nqy,* 6:29). Just as a thief is prosecuted for his crime (6:30–31), so is an adulterer (*nōʾēp ʾiššāh*) doomed (6:32). Indeed, the indignant zeal (stem: *qnʾ*) of an aggrieved husband (6:34) is difficult to assuage (6:35).

this text uses the stems *zny* and *qnʾ* in a covenantal context. See G. Cohen, "The Song of Songs and the Jewish Religious Mentality," in *The Samuel Friedland Lectures* (New York, 1966), p. 7. For an alternative proposal for the origin of this imagery, see the suggestive remarks by A. Fitzgerald, "The Mythological Background for the Presentation of Jerusalem as a Queen and False Worship As Adultery in the OT," *CBQ* 34 (1972), 403–416.

59 The background of adultery, but not the Decalogue-midrash, has been noted in the recent commentaries on the Book of Proverbs, cf. B. Gemsen, *Sprüche Solomos, HAT* 16 (Tübingen, 1963), pp. 35–52; A. Barucq, *Le Livre des Proverbs* (Paris, 1964), pp. 70–100; R.B.Y. Scott, *Proverbs and Ecclesiastes, Anchor Bible* (N.Y. 1965), pp. 53–77. The presentation of adultery and punishment in Prov. 6, in contrast to Ezekiel 16 and 23, for example, has raised some legal-historical questions; see M. Weinfeld "On the Conception of Law within Israel and without," *Beth Miqra* 17 (1964), esp. p. 63 (Hebrew), and cf. S. Loewenstamm, "Laws of Adultery and Murder in the Bible," *ibid.* 18 (1964), pp. 77 f.

Thus, with this midrash on adultery, we return to the Decalogue with whose apodictic censure of conjugal infidelity our study opened. In the process of unravelling the various technical threads which sealed the meaning of the laws of witnessed and unwitnessed adultery, we encountered a widespread motif used to dramatize the relationship of God and Israel. As a legal *topos*, it proved a rich source for "instruction from the priest, counsel from the sage, and divine word from the prophet" (Jer. 18:18).

DER VOLLBÜRGEREID IN DEUTERONOMIUM 27, 15–26.

GERHARD WALLIS
Halle (Saale)

In memoriam Otto Eißfeldt

DIE Fluchreihe von Dt 27, 15–26 wird im allgemeinen unter die Rechtssätze in Reihenbildungen gerechnet, zu denen im Alten Testament vor allem Ex 20, 2–17 || Dt 5, 6–21 und Ex 34, 12–26 zu zählen sind.[1] C. Wagner nimmt die *talions*-Formeln (Ex 21, 23–25; Lev 24, 18.20; Dt 19, 21), die *môt-jûmat*-Reihen (Ex 12, 15–17; 22, 18–19; 31, 14–15; Lev 20, 2.9–16.27; 24, 16–17; 27, 29) und die *lo'-tegallāe-Reihe* (Lev 18, 7–17) noch hinzu.[2] Diese Zuordnung von Dt 27, 15–26 beruht darauf, daß es sich darin um eine Zusammenstellung kurzer, einheitlich formulierter, in ihrer Urgestalt zwar nicht immer unverändert erhaltener, dennoch teilweise rekonstruierbarer[3] Rechtssätze handelt, die kultisch-religiöse, sozial- oder sexualethische Pflichten auferlegen. Aus der Kürze und Prägnanz dieser Gebote bzw. Verbote darf gefolgert werden, daß sie nicht allein dem mnemotechnischen Bedarf folgten, sondern vermutlich auch einem bestimmten rituellen Vorgang dienten.[4] Damit allein ist die Frage nach dem "Sitz im Leben" dieser Rechtssätze jedoch noch nicht schlüssig beantwortet.[5]

Für Dt 27, 15–26 scheint der Kontext (vgl. v. 11–13.14) allerdings eine konkrete Handhabe zur Feststellung eines kultischen Ortes der Promulgation oder der immerwiederkehrenden Verlesung dieser Fluchreihe zu liefern, ähnlich wie sie auch in Dt 31,9–13 angeordnet wird. Sobald man

1 O. Eißfeldt, *Einleitung in das Alte Testament*, ^{3}1964, S.94, Anm.1; S.282. vgl. auch V. Wagner, *Rechtssätze in gebundener Sprache und Rechtssatzreihen im israelitischen Recht* = *BZAW* 127, 1972 (= *Rechtssätze*), S. 32 ff.

2 *Rechtssätze*, S. 3ff, 16ff, 32ff, 40ff.

3 *Rechtssätze*, S. 33f.

4 S. Mowinckel, *Psalmenstudien* V, 1924, S. 77 ff; P. Buis, "Deuteronome XXVII 15–26. Malédictions ou exigence de l'alliance?" *VT* 17, 1967, S. 478–479; Wieweit überhaupt ein kultischer Raum als "Sitz im Leben" der Rechtssätze aufgezeichnet werden kann, soll später entschieden werden. W. Schottroff, *Der altisraelitische Fluchspruch* = *WMANT* 30, 1969 (= *Fluchspruch*), S. 119, 125, 129, 222f spricht sich mit beachtenswerten Gründen dagegen aus.

5 W. Schottroff, *Fluchspruch*, S. 57, 222; G. Seitz, *Redaktionsgeschichtliche Studien zum Deuteronomium*, *BWANT* = 5. Folge 1971, (= *Redaktionsgeschichte*) S. 273.

nämlich den Jordan überschritten habe, solle man die zwölf Stämme Israels, je sechs Stämme auf dem Garizim und dem Ebal, aufstellen, um eine Segens- und Fluchzeremonie zu vollführen. Dennoch ist auf den ersten Blick zu sehen, daß das anschließende Stück, die zu behandelnde Spruchreihe Dt 27, 15–26, nur Fluchformeln enthält aber keinerlei Segensverheißungen. Da mit W. Schottroff der Wegfall von Segenssprüchen nicht anzunehmen ist,[6] ist der ursächliche Zusammenhang zwischen Dt 27, 11–14 und 15–26 mit Recht in Zweifel zu ziehen.[7] Die Erwägung, daß Dt 27, 11–14 und Dt 28 zusammengehörten, wo ja Segensverheißungen und Fluchandrohungen zu finden sind, kann hier unerörtert bleiben, da die Behandlung von Dt 27, 15–26 dann nicht mehr davon berührt wird. G. Seitz[8] hält Dt 27, 12 ff ohnehin für einen nicht ursprünglich deuteronomistischen Bestand. Somit darf die Fluchreihe Dt 27, 15–26 ohne Rücksicht auf den vorangehenden Kontext von v. 11–14 behandelt werden.

Geht man nun auf Dt 27, 15–26 genauer ein, so wird man, abgesehen von dem unterschiedlichen Erhaltungszustand von v. 16–19.21.23.24 gegenüber v. 20–22.25, ohne Zweifel zugeben müssen, daß die Verse 15 und 26 den in allen übrigen Sätzen konsequent durchgehaltenen Partizipialsatzstil verlassen und zum Relativsatzstil übergehen.[9] Zwar finden sich beide Gestalten der Fluchformel auch im übrigen Alten Testament —der Partizipialsatzstil in Jer 48, 10; Jud 21, 18, der Relativsatzstil in Jos 6, 26; 1 Sam 14, 24; Jer 11, 3ff — dennoch heben sich die Verse 15 und 26 formal so stark von dem sonst einheitlichen Stil ab, daß man berechtigt ist, v. 15.26 als Umrahmung von v. 16–25 zu unterscheiden und letztere für sich zu betrachten. Dadurch wird nicht allein aus einem Dodekalog ein in sich geschlossen wirkender Dekalog,[10] sondern auch inhaltlich entsteht ein ganz neues Bild.

Mit der Ablösung von v. 15 scheidet das überhaupt einzige kultische Verbot, das Bilderverbot aus, das ohnehin aus dem gegebenen Rahmen herausfällt. Mit der Streichung von v. 26, dem Schlußstück, wird die Bezeichnung der gesamten Reihe als דברי התורה ausgeschlossen. Damit

6 *Fluchspruch*, S. 222, Anm. 2.

7 G. Fohrer, *Einleitung in das Alte Testament* = E. Sellin — G. Fohrer, *Einleitung in das Alte Testament*[11] 1969, S. 159; G.v.Rad *ATD* 8, 1964, z. St.

8 G. Seitz, *Redaktionsgeschichte*, S. 271.

9 W. Schottroff, *Fluchspruch*, S. 222; H. Gese, *Der Dekalog als Ganzheit betrachtet*, *ZThK* 64, 1967 (= *Dekalog*), S. 129; J. Scharbert, *ThWAT* I (1971), S. 442.

10 E. Auerbach, "Das Zehngebot — Allgemeine Gesetzesform in der Bibel," *VT* 16, 1966, S. 255ff, kommt auf seine Weise zu einer anders gearteten Zehnerreihe. Gegen A. Alt, *Ursprünge des israelitischen Rechts*, 1934 = *Kl. Schr.* I, 1953, S. 314, scheint es mir unzulässig, die Relativsatzkonstruktion in eine Partizipialsatzkonstruktion umzuwandeln, vgl. V. Wagner, *Rechtssätze*, S. 33.

fällt diese gattungsgeschichtliche Klassifizierung als Gesetz oder Gebot aus.[11] Diese Einrahmung hat demnach eine doppelte Absicht: 1) wird durch v. 15 die gesamte Reihe in einen kultischen Raum eingebracht,[12] 2) wird das Ganze durch die Interpretation von v. 26 als Torah verständlich. Die Tendenz ist also eindeutig theologischer Natur. Ohne diese beiden Verse bleibt eine Zehnerreihe von rein sozial- bzw. sexualethischen Tabuisierungen übrig, die in ihrer Diktion eine beachtliche Geschlossenheit erkennen läßt.

Sie hat folgenden Wortlaut:

1) (v. 16) Verflucht sei, wer seinen Vater und seine Mutter verschmäht! Und das ganze Volk sage: "Amen!"
2) (v. 17) Verflucht sei, wer die Grenze seines Nächsten verführt! Und das ganze Volk sage: "Amen!"

3) (v. 18) Verflucht sei, wer einen Blinden auf dem Wege irrerückt! Und das ganze Volk sage: "Amen!"
4) (v. 19) Verflucht sei, wer das Recht von Fremdling, Waise und Witwe beugt! Und das ganze Volk sage: "Amen!"

5) (v. 20) Verflucht sei, wer der Frau seines Vaters beiwohnt (den er lüftet die Decke seines Vaters)! Und das ganze Volk sage: "Amen!"
6) (v. 21) Verflucht sei, wer irgendwelchem Tier beiwohnt. Und das ganze Volk sage: "Amen!"

7) (v. 22) Verflucht sei, wer seiner Schwester beiwohnt (der Tochter seines Vaters oder Mutter)! Und das ganze Volk sage: "Amen!"
8) (v. 23) Verflucht sei, wer seiner Schwiegermutter beiwohnt! Und das ganze Volk sage: "Amen!"

9) (v. 24) Verflucht sei, wer seinen Nächsten heimlich erschlägt! Und das ganze Volk sage: "Amen!"
10) (v. 25) Verflucht sei, wer Bestechungsgeschenke annimmt (um Leben, unschuldiges Blut zu schlagen)! Und das ganze Volk sage: "Amen!"

zu 5) Die Begründung ist Ergänzung nach Dt 23,1; vgl. Lev 18,8.
zu 7) Ergänzung stellt eine Verschärfung gegenüber Gen 20, 12;

11 Eine ähnlich lautende Verfluchung findet sich in Jer 11, 3.
12 W. Schottroff, *Fluchspruch,* S. 224.

2 Sam 13, 13 dar, wo die Ehe mit einer Halbschwester nicht ausgeschlossen wird. Gemein war ursprünglich sicher nur der Verkehr mit der Vollschwester.

zu 10) Die Annahme von Bestechungsgeschenken שחד bezeichnet stets die Korruptibilität von Richtern. Der Infinitivsatz ist eingentlich entbehrlich, scheint jedoch auf den gedungenen Mörder ablenken zu wollen.

Diese Abgrenzung der Verfluchungsreihe macht ersichtlich, daß hier eine gezielte Sammlung von Tabuisierungen vorgenommen worden ist, welche geschlossen, wenn auch formal nicht ganz einheitlich und inhaltlich wohlgeordnet, erscheint. Aber dieser Mangel ist in den alttestamentlichen und altorientalischen Gesetzessammlungen nicht ungewöhnlich. Stimmt man H. Gese[13] zu, der Dekalogbildungen auf Grund der Paarungen von Rechtssätzen nachzuweisen versucht, so gewinnt die Ganzheit und Geschlossenheit unserer "Verfluchungsreihe" noch an Eindrücklichkeit. 1) und 2) beziehen sich auf den familiären Bereich, 3) und 4) auf das Sozialverhalten, 5) und 6), 7) und 8) auf die sexualethische Sphäre, 9) und 10) auf die Rechtspflege.

Die auf jede Verfluchung folgende Antwort des Volkes mit einem "Amen" gibt den Hinweis auf eine öffentliche Zeremonie. Wer mit dem ganzen Volk konkret gemeint ist, soll später geklärt werden. Wer die Vorsprecher gewesen sind, ist der vom Kontext (v. 14) gelösten Verfluchungsreihe nicht mehr mit Sicherheit zu entnehmen; doch ist es durchaus zu vermuten, daß es sich um priesterliche Persönlichkeiten oder um Älteste[14] handelt. Die Beantwortung dieser Fragen hängt von der inhaltlichen Deutung dieser so abgegrenzten Verfluchungsreihe ab.

Bei der Interpretation dieses Korpus von Verfluchungen muß man von vornherein bedenken, daß es sich hier nicht um Ahndungen bereits begangener Untaten, um Rechtsfolgeentscheidungen handelt (vgl. Gen 4, 11; 9, 25; 49, 7; Jos 9, 22; Jud 5, 23 u.ö.),[15] sondern um grundsätzliche Sanktionen für den Fall von Rechtsbrechung überhaupt, um promissorische Eide. Die Rechtsnorm als solche ist dabei durchaus als bekannt vorauszusetzen, denn sie wird auch an anderen Stellen alttestamentlicher Gesetzgebung, prophetischer Kritik oder der Weisheitslehre erwähnt: Verbot der Verunglimpfung der Eltern (Ex 20, 12 = Dt 5, 16; Ex 21, 17; Lev 19, 3; 20, 9), Verbot der Grenzverrückung (Dt 19, 14; Prov 22, 28; 23, 10; Hi 24, 2; vgl. Hos 5, 10), Verbot der Irreleitung von Blinden oder sonstig körperlich Behinderten (Lev 19, 14; Hi 29, 15; vgl. Prov 14, 31; 17, 5). Verbot der Rechtsbeugung gegenüber den personae

13 H. Gese, *Dekalog*, S. 130.

14 W. Schottroff, *Fluchspruch*, S. 120.

15 H. Gese, "Beobachtungen zum Stil alttestamentlicher Rechtssätze," *ThLZ* 85, 1960, Sp. 147–150; 148 vgl. W. Schottroff, *Fluchspruch*, S. 76 ff.

miserabiles (Ex 22, 20–23; 23,9; Dt 1, 17; 10, 18f; 24, 17f; 27, 19; Lev 19, 33f; Jes 1, 17.23; 10, 2),[16] Verbot der Blutschande mit der Mutter (Gen 35, 22; 49, 4; Lev 18, 8; 20, 11; Dt 23, 1), Verbot der Tierschande (Ex 22, 18; Lev 18, 23; 20, 15), Verbot der Blutschande mit der Schwester (Lev 18, 9; Dt 27, 22; Ez 22, 11), Verbot des Geschlechtsverkehrs mit der Schwiegermutter (Lev 18, 17). Verbot des heimlichen d.h. vorsätzlichen Mordes am Nächsten (Gen 4, daran ist auch Ex 20, 13 = Dt 5, 17 gedacht), Verbot der passiven Bestechung (Ex 23, 8; Dt 16, 19; Jes 1, 23; Prov 17, 23).[17]

Die Strafwürdigkeit solcher Taten ist also als allgemein bekannt anzunehmen, sie war "fest in der ethischen Unterweisung der Sippe verwurzelt."[18] Hier wird die Verbindlichkeit unter der Verfluchung bzw. durch die Responsion mit "Amen," d.h. unter der Selbstverfluchung festgelegt. Damit ist die Situation des Eides gegeben, die F. Horst[19] bereits herausgestellt hat. Ihm ist J. Scharbert in seiner lexikalischen Darstellung gefolgt.

Er stellt fest, daß die akkadische Wurzel *'rr* im Zusammenhang mit Verträgen für die Fixierung von Sanktionen oder autoritativen Anordnungen verwendet werden kann,[20] daß sogar die Nomina *arrutu* und *mamitu* in bestimmter Verwendungsweise miteinander synonym im Sinne von Eid und Bann herangezogen werden können.[21] Er definiert die Verfluchung im gleichen Zusammenhang als die Aufhebung eines zwischen dem den Fluch Sprechenden und dem vom Fluch Betroffenen ursprünglich vorhandenen Gemeinschaftsverhältnisses, womit der Verfluchte der Güter der Sicherheit, des Rechts und des Glücks dieser Gemeinschaft verlustig geht.[22] Aus dieser Feststellung ergibt sich zweierlei: Einmal haben wir es in Dt 27, 16–25 mit einer Eidesformel zu tun,[23] und zum anderen ist ein zwischen dem den Fluch Vorsprechenden und dem diesen mit "Amen" Bekräftigenden ein Gemeinschaftsverhältnis oder zumindest eine Gemeinsamkeit vorauszusetzen, aus der der Rechtsbrecher ausgestoßen wird oder durch die Eigenwirksamkeit des Fluches ausgemerzt wird.

16 Auffälligerweise werden in Dt 27, 19 unter den personae miserabiles nicht wie sonst im Dt üblich (16, 14; 26, 11. 12.13) die Leviten genannt.

17 Vgl. dazu W. Schottroff, *Fluchspruch,* S. 119, 125. M. Weinfeld, *Deuteronomy and Deuteronomic School,* 1972 S. 147.

18 W. Schottroff, *Fluchspruch,* S. 120.

19 F. Horst, *Der Eid im Alten Testament = Gottes Recht, Theologische Bücherei* 12, 1961, S. 292–314, S. 301ff. H. verweist auf R. Hirzel, *Der Eid,* 1902, S. 139; vgl. auch J. Pedersen, *Der Eid bei den Semiten,* 1914, S. 70, 108 ff.

20 *ThWAT* I (1971), S. 439.

21 A.a.O. S. 438.

22 A.a.O. S. 440.

23 Dies wird schon dadurch nahegelegt, daß die *'arûr*-Formeln von Jos 6.26; Jud 21, 18 in Verbindung mit dem Verbum auftreten.

Dt 27, 16–25 bietet also nicht eine Gebotsreihe, wie der ergänzende v. 26 es deutet, sondern ganz offensichtlich den Text einer Vereidigung auf eine Gemeinschaft.

Solch eine Vereidigung ist jedoch stets im Zusammenhang mit einem Bundes- oder Vertragsabschluß gesehen worden, indem derjenige, der gegen die Abmachungen verstößt, mit dem Fluch belegt wird. Dies wurde hauptsächlich in Vasallenverträgen so praktiziert, z.B. im Vertrag Assurniraris VI mit Mati'ilu von Bet Agusi.[24] K. Baltzer[25] hat in seiner Monographie "Das Bundesformular" den Stil solcher Verträge aus dem Akkadischen, Hethitischen nachgewiesen.

Nun soll auf die von K. Baltzer gezogenen weitreichenden Folgerungen für die Interpretation alttestamentlicher gesetzlicher oder verwandter Texte hier nicht eingegangen werden, zumal F. Nötscher[26] diese Interpretationsmethode bereits ausführlich und kritisch gewürdigt hat. Es ergeben sich nämlich noch ganz andere Gelegenheiten, Schwüre in Gestalt von promissorischen Verfluchungen zu leisten. Eine derartige Möglichkeit weist ein seit langem bekannter and schon mehrfach bearbeiteter hethitischer Text auf,[27] der hier in Übersetzung geboten werden soll,[28] ohne daß davon Fragen der chronologischen Einordnung oder der traditionsgeschichtlichen oder literarischen Zusammengehörigkeit berührt werden.

Der Text lautet: "Er[29] legt Hefe in ihre Hände, sie lecken sie und er sagt: 'Ist das, was ihr habt, nicht Hefe? Ebenso, wie man dieses kleine Stück Hefe nimmt, es in der Teigschüssel mischt und die Teigschüssel für einen Tag stehen läßt, damit es gärt — wer auch immer diese Eide bricht, den König des Landes Chatti täuscht und seine Augen in feindlicher Absicht gegen das Land Chatti wendet, den sollen diese Eide ergreifen! Er soll zerbrechen an einer Krankheit! Er soll ein böses Schicksal haben!' Jene aber sagen: 'So sei es!'

Dann legt er Wachs und Schaffett in ihre Hände. Er wirft sie in die offene Flamme und spricht: 'Wie dieses Wachs schmilzt und wie das

24 E. F. Weidner, "Der Staatsvertrag Aššurniraris VI von Assyrien mit Mati'ilu von Bît Agusi." *AfO* 8, 1932–33, S. 17–34.

25 K. Baltzer, *Das Bundesformular* = *WMANT* 9, 1962, S. 244.

26 F. Nötscher, "Bundesformular und 'Amtsschimmel'," *BZ* N. F. 9, 1965, S. 181–214; vgl. auch D. J. McCarthy, *Der Gottesbund im Alten Testament* = *Stuttgarter Bibelstudien* 13, 1967, S. 34ff; H.J. Kraus, *Gottesdienst in Israel*, ²1962, S. 161 ff.

27 KBo VI 34 I 29 — II 4; 19–0; J. Friedrich, "Aus dem hethitischen Schrifttum," H. 2, *AO* 25, 1925, S. 16–19; "Aus dem hethitischen Fahneneid;" vgl. *ANET* S. 353; Der Text ist inzwischen von J. Friedrich und H. Otten u.a. verschiedentlich bearbeitet worden.

28 Die vorliegende Übersetzung verdanke ich Herrn Dr. H. Klengel/Berlin.

29 Als Vorsprecher wird allgemein ein Priester vermutet.

Schaffett zergeht—wer immer die Eide bricht [und den önig des Landes] Chatti täuscht, [der] soll schmelzen wie [Wachs], wie [Schaffett] zergehen!' [Jen]e sagen: 'So sei es!' . . .

Nun legt er ihnen Malz in die Hände, und sie lecken es und er spricht zu ihnen folgendermaßen: 'Wie man dieses Malz mit dem Mahlstein zermahlt und es mit Wasser mischt, es bäckt und zerbröckelt — wer immer diese Eide bricht und Böses tut gegen den König, die Königin, die Prinzen (und) das Land Chatti, den sollen die Eide ergreifen und ihr Gebein in gleicher Weise zermalmen! Er soll in gleicher Weise rösten (?), er soll in gleicher Weise zerbröckeln! Er soll ein böses Schicksal haben!' Jene aber sagen: 'So sei es!' "

Nicht alle Teile des hier in Ausschnitten zitierten "Fahneneides" bieten die gleichen Elemente wie die aufgeführten Stellen. Auch das "So sei es!" ist nicht allenthalben belegt. Dies mag an der bruchstückhaften Überlieferung des Rituals liegen. Das bedeutet aber nicht, daß an anderen Stellen beim Vollzug des Rituals die Responsion gefehlt haben muß. Sie kann in der Aufzeichnung der Eidesformulierung auch als selbstverständlich weggelassen worden sein. Dennoch lassen die hier vorgelegten Abschnitte die Parallelität zu der alttestamentlichen Eidesformel erkennen. Inhaltlich hebt sich die hethitische Formulierung von der knappen Gestalt der alttestamentlichen Eide deutlich ab und gelangt einerseits in die Nähe der symbolhaften Ausformung des Staatsvertrages Assurniraris VI mit Mati'ilu von Bet Agusi.[30] Andererseits rückt die hethitische Eidesform in die Nachbarschaft des Eifersuchtopfers des Alten Testaments (Num 5, 11–28), in dessen Verlauf der Priester der des Ehebruchs bezichtigen Frau die Elemente des Eifersuchtopfers "in die Hände legt" (v. 18), in denen sie während der Verwünschungszeremonie verbleiben (v. 23). Dieses Festhalten in den Händen hat gegenüber der Bestätigung durch das "Amen" (v. 22) sein eigenes Gewicht,[31] läßt aber auch hier die Zusammengehörigkeit eines solchen symbolhaften Rituals und der Beeidigung mit Deutlichkeit erkennen.

Die symbolhafte Handlung fehlt in der Vereidigung von Dt 27, 16–25 gänzlich. Hier trägt alles die zehnmalige Verfluchung mit der Responsion durch das "Amen." J. Friedrich hat in seiner Bearbeitung des hethitischen Fahneneides sogar darauf hingewiesen, daß das "So sei es!" der zu vereidigenden hethitischen Soldaten dem "Amen" des Alten Testaments formal und inhaltlich entspricht. Damit ist der sachliche Zusammenhang

30 Vgl. Anm. 24, S. 17–27.

31 In ähnlichem Sinne ist vielleicht das "Handfüllen" bei der Ordination von Priestern (Ex 28, 41; 29, 29; 32, 29; Lev 8, 33; 16, 32; 21, 10; Num 3, 3; Jud 17, 5.12; 1 Reg 13,33) zu deuten; vgl. R. de Vaux, *Das Alte Testament und seine Lebensordnungen* (= *Lebensordnungen*) II, 1960, S. 178 f.

zwischen Dt 27, 16–25 und dem hethitischen Fahneneid trotz formaler Unterschiede deutlich erkennbar. Demnach haben wir in Dt 27, 16–25 eine Vereidigungszeremonie vor uns, die bei einem ganz bestimmten Anlaß praktiziert worden ist. Und diesen gilt es nun festzustellen.

Die im hethitischen Fahneneid auferlegten Forderungen richten sich auf die Loyalität gegenüber dem König und dem Königshaus, d.h. auch gegenüber der Königin und den Königssöhnen, überhaupt gegenüber dem Lande Chatti. Der Eid soll so unaufhebbare Dauer und Wirksamkeit besitzen, daß sich die Verbindlichkeit nicht allein auf den gegenwärtig regierenden König, sondern ebenso auf die Thronfolger bezieht, die das Land Chatti repräsentieren. Die Eidesleistung verbindet auf Gedeih und Verderb mit dem Geschick des Landes. Diesen Bezug der Vereidigung auf das Königshaus und das Land hat der Eid von Dt 27 freilich nicht. Hier soll vielmehr eine vorhandene soziale Gemeinschaft durch einen Schwur hergestellt, erneuert oder sichergestellt werden. Damit ergibt sich die Frage, um was für eine "Eidgenossenschaft" es sich hier wohl handelt, die sich durch die Abnahme des Eides, durch die einmalige oder sich turnusmäßig wiederholende Vornahme eines Vereidigungsrituals ihrer Existenz versichert.

Diese Frage kann allerdings, da der Kontext von Dt 27, 16–25 uns diesen Dienst nicht leistet, nur aus dem Inhalt der Formulierung selbst erschlossen werden. Handelt es sich aber um eine Vereidigung, so muß angenommen werden, daß hierbei gerade die Grundlagen dieser Genossenschaft berührt werden. Für eine solche Grundsätzlichkeit spricht auf jeden Fall auch die bewußt gewählte Summe der zehn Fluchformeln und zehn Responsionen. Mag damit auch nicht alles über das Wesen dieser Gemeinschaft ausgesagt sein, oder mag die gewählte Zehnzahl auch zur Auffüllung durch weniger bedeutsame Verpflichtungen geführt haben, auf jeden Fall muß alles das, was hier vorgetragen wird, für diese soziale Gemeinschaft von wesentlicher Bedeutung gewesen sein. Und damit ist es als aussagekräftig erwiesen.

Als Voraussetzung dürfen wir annehmen, daß die zur Vereidigung Angetretenen jeweils die Männer der Gemeinschaft gewesen sind. Dies lassen bereits die sexuellen Forderungen der Enthaltsamkeit von unerlaubten Beziehungen mit weiblichen Personen (v. 20.22.23) bei flüchtigem Überblick erkennen. Ebenfalls ist die Rechtsfähigkeit als Gegenstand der Beeidigung anzunehmen, und dies verlangt die Volljährigkeit des Mannes. Rechtsfähig muß der Eidleistende schon deshalb sein, weil in v. 19 seine Beteiligung am Gerichtsverfahren berührt wird, sei es, daß der Betreffende als Zeuge auftritt, sei es daß er an richterlichen Entscheidungen Anteil hatte. Nur so konnte er ja den Rechtsanspruch Minderberechtigter, der personae miserabiles, schmälern helfen. Er war also an der Wahrheitsfindung und an der Festsetzung von Urteilen be-

teiligt, oder aber die Ablegung dieses Eides setzte ihn in den Stand, dies zu tun.

Diese Rechtsfähigkeit wird ebenfalls damit zu begründen sein, daß in v. 25 der Annahme von Bestechungsgeschenken abgeschworen wird. Dabei wird es sich nicht, wie weithin angenommen wird, um die Annahme eines Judaslohnes für einen Meuchelmord handeln. Vielmehr ist ja ein Mitglied des Richterkollegiums in der Lage, das Urteil dahingehend zu beeinflussen, daß ein Unschuldiger zu schwerem Schaden kommt, der seinen wirtschaftlichen oder seinen physischen Ruin bedeutete (vgl. Ez 22, 12). Auf jeden Fall führt die Verwendung des Begriffes שחד in den forensischen Bereich hinein.

Dieser so Vereidigte lebte offensichtlich in seinem Sippenverband, denn ihm wird auch die sonst im Alten Testament häufig apostrophierte Pflicht auferlegt, seine Eltern ehrerbietig zu behandeln (v. 16). Seine Vollbürgerrechte geben ihm nicht die Freiheit, sich über die Vorrechte des Vaters, aber auch der Mutter hinwegzusetzen. Vielleicht ergeben sich gerade aus dem Status des selbständig gewordenen jungen Mannes und der Unterordnung unter das elterliche Recht Schwierigkeiten, die nicht allein als Generationsproblem betrachtet werden sollten, sondern sich daraus herleiten, daß bei allen soziologischen Verbindlichkeiten der Sohn eine eigene, der Gesamtheit der Familie oder der Sippe zuträgliche Position finden muß.[32]

Daß der Vereidigte eine eigenständige Persönlichkeit ist, ist auch daraus zu entnehmen, daß er die geschlechtliche Reife erlangt hat. Seine geschlechtlichen Beziehungen werden jedoch den Interessen der Gesamtfamilie unterworfen. So darf er Intimbeziehungen nicht mit der Frau seines Vaters aufnehmen (v. 20), ebensowenig mit seiner Schwester und seiner Schwiegermutter (v. 23). Über den Grund dieses Sexualtabus hat K. Elliger in seiner Untersuchung über Lev 18[33] gehandelt und gezeigt, daß derartige Gebote dem Schutz der israelitischen Großfamilie dienen sollten.

Nun fällt jedoch auf, daß in Dt 27 weniger weibliche Verwandtschaftsgrade aufgezählt werden, mit denen geschlechtliche Beziehungen untersagt sind, als in Lev 18. Das kann ein durchaus zufälliger Befund sein, der mit der Anlage der Sammlung von zehn Fluchformeln zusammenhängt, kann jedoch auch tiefere Gründe haben. Ob das Verbot der Irreleitung eines Blinden (v. 18) gegenüber dem Verbot der Intimbeziehungen zur Enkeltochter, sei es von Sohnes- oder Tochterseite (Lev 18, 10), zur Schwiegertochter (Lev 18, 15), einen solchen Vorrang gehabt hatte, daß es aufgenommen werden mußte, das andere aber weggelassen werden

32 J. Conrad, *Die junge Generation im Alten Testament*, 1970, S. 18 ff.
33 K. Elliger, "Das Gesetz Leviticus 18," *ZAW* 67, 1955, S. 1–25, S. 8 ff.

konnte, mag zu fragen sein. Jedenfalls werden die Beziehungen zur Mutter, Schwiegermutter und Schwester erwähnt, nicht jedoch die zu den nachfolgenden Generationen: Tochter, Schwiegertochter, Stieftochter und Enkeltochter, wie es in Lev 18 geschieht. Die Geschlossenheit, mit der gerade letztere ungenannt bleiben, kann schwerlich auf einen Zufall zurückgeführt werden. Das kann darauf beruhen, daß hier der Kreis der Verwandtschaftsgrade ohnehin enger begrenzt wird als in Lev 18. Die Tatsache jedoch, daß hierbei gerade die jüngeren Vertreter des weiblichen Geschlechts ausgelassen werden, während die Mutter und auch die Schwiegermutter, sowie die Schwester genannt werden, läßt doch darauf schließen, daß nur diese im vorliegenden Zusammenhang erwähnenswert schienen. Der zu Vereidigende war demnach verheiratet, hatte also Mutter und Schwiegermutter, freilich auch Schwestern. Die Frage nach Töchtern, Schwiegertöchtern oder gar Enkeltöchtern war zum Zeitpunkt der Vereidigung jedoch noch nicht akut, keinesfalls waren Intimbeziehungen zu ihnen freigestellt. Der Eidleistende war offenbar ein junger Mann.

Es geht demnach um eine ganz andere Zielsetzung als in Lev 18. Das mag auch daraus ersichtlich werden, daß neben allen Tabus, die nicht das Geschlechtsleben betreffen, das Verbot genannt wird, die Grenze des Nächsten zu verrücken (v. 17). Der Vereidigte muß Grundbesitzer sein, der der Versuchung erliegen könnte, eigenen Grund und Boden auf Kosten des Nachbarn zu erweitern. Diese Untat wird ja nicht allein im Alten Testament, sondern auch in der übrigen altorientalischen Gesetzgebung[34] geahndet; sie muß also für die Eidleistenden im Bereich der Möglichkeiten gelegen haben. Die hier behandelten Verpflichtungen beruhen also darauf, daß die zur Vereidigung Angetretenen im Raume ihrer Sippe oder Familie Grundbesitzer sind, die eine Ehe führen und an der Rechtsprechung beteiligt sind. Damit sind einige Grundrechte des israelitischen Vollbürgers genannt, zu denen noch das Recht zur Teilnahme am Kult und am Heeresaufgebot gehören.[35] Offensichtlich spielte aber der Grundbesitz für die Vollbürgerrechte eine wesentliche Rolle.

Mit dieser Feststellung kommen wir dem Sachzusammenhang der Eidesformel einen Schritt näher. Nach A. Alt gebot das israelitische Bodenrecht die Aufteilung der Allmende,[36] des Gemeindelandes zu

34 Vgl. dazu V. Wagner, *Rechtssätze* S. 37.

35 L. Köhler, *Die hebräische Rechtsgemeinde = Der hebräische Mensch*, 1953 (Anhang) S. 147.

36 A. Alt, "Erwägungen zur Landnahme der Israeliten in Palästina," 1939 = *Kl. Schr.* I, 1953, S. 126–175; S. 150 f; ders., "Die Ursprünge des israelitischen Rechts" 1934 = *Kl. Schr.* I, 1953, S. 267; aufgenommen von G.v.Rad, *Theologie des Alten Testaments* I, ⁵1966, S. 298; ders.: *"Gerechtigkeit und Leben" in der Kultsprache der Psalmen*, 1950 = *Gesammelte Studien*, 1958, S. 225–247, S. 242.

bestimmten Zeitpunkten. Diese immerwiederkehrende Verteilung wurde schon dadurch notwendig, daß sich der Personenstand einer solchen Gemeinschaft ständig änderte.[37] Die Älteren starben, und die Jüngeren wuchsen nach. Dabei konnte es sich nicht um die selbstverständliche Übernahme des väterlichen Anteils durch die Söhne handeln. Einmal deckte sich die Zahl der Dahinsterbenden nicht unbedingt mit der der Nachrückenden, zum anderen sollte ja die junge Generation nicht bis zum Tode der Väter warten, ehe sie am Allmenderecht beteiligt wurde. Dieses erhielt man nach der Heirat im Zusammenhang mit der Rechtsfähigkeit und dem Grundbesitz. Damit jedoch wurde der junge Mann in einen ganz neuen Status versetzt, der neben der Begabung mit Rechten auch die Anteilnahme an gemeinsamen Pflichten in sich schloß. Er war nun für das Ergehen der Gemeinschaft mitverantwortlich. Und dieser Augenblick war angemessen für eine solche Vereidigung.

F. Horst[38] lehnt allerdings die Annahme von der regelmäßigen Neuverteilung von Grund und Boden als "irrig und nicht zu beweisen" ab. Er bezieht sich dabei auf die Regelung des patrimonium, des Erbes an Acker und Weinbergland,[39] das auf keinen Fall veräußert oder aus der Hand gegeben werden darf (vgl. Naboths Weinberg 1 Reg 21, 1ff), sondern nur im Erbgang an Söhne, notfalls an Töchter bzw. Schwiegertöchter (Num 27, 6–11; 36, 6ff) weitergegeben werden konnte. Dies braucht die von A. Alt vertretene These von der Neuverlosung nicht unbedingt zu widerlegen. Besonders G.v.Rad betont die Verteilung der "Allmende" der Gemeindeflur, die nicht in festen, andauernden Besitz eines einzelnen Sippenangehörigen veregben werden konnte. Freilich ist die Verwendung des Begriffs "Allmende" auch problematisch, da er aus dem feudalistischen Gesellschaftssystem stammt, das Altisrael wohl nie kennen gelernt hat.[40]

Andererseits weist F. Horst im genannten Zusammenhang darauf hin, daß nach einer vom Deuteronomium (21, 15–17; 32, 8f; vgl. Ez 46, 16–18; 1 Chr 28, 8) belegten Gepflogenheit Besitzübertragung von Grundeigentum an die Söhne bereits zu Lebzeiten des Landinhabers vorge-

37 Aus dem neuzeitlichen Vorderen Orient berichten von diesem Brauch G. Dalman, *Arbeit und Sitte in Palästina* II, 1932, S. 38 ff; A. Musil, *Arabia Petrea* III, 1908, S. 294.

38 F. Horst, "Zwei Begriffe für Eigentum (Besitz) נחלה und אחזה = Verbannung und Heimkehr," *Festschrift für W. Rudolph,* 1961, S. 138 ff, S. 148.

39 A.a.O. S. 147.

40 R. de Vaux, *Lebensordnungen* I, S. 264; siehe dagegen J. Gray, "Feudalism in Ugarit and Early Israel," *ZAW* 64, 1952, S. 49 ff. Zu den Formen des Allmenderechts, die sich im germanischen Raum im Laufe der Jahrhunderte ausgebildet haben, vgl. E. Sanders, "Allmende," *Handwörterbuch zur deutschen Rechtsgeschichte,* 1. Lfg., 1964, Ep. 108–120.

nommen werden konnte. Über das Alter und die Bedeutung dieses Rechtsbrauche kann jedoch wenig gesagt werden. Die Belege sprechen zumindest für ein recht spätes Auftreten dieser Bodenordnung. Überhaupt ist ja die Geschichte des altisrealitischen Bodenrechts für uns sehr undurchsichtig, da vom Beginn der Seßhaftwerdung bis zum völligen Eingang in das Bauerntum und später einer teilweisen Eingliederung in das Städtertum ein langer, nicht immer gradliniger und allerorts gleichverlaufender Weg zurückgelegt wurde. So ist die Annahme einer ursprünglich regelmäßigen Neuverteilung von Land nicht als unmöglich abzulehnen. Wie auch immer die Vergabe von Bodenbesitz gehandhabt wurde, Tatsache bleibt, daß die jungen Männer in Israel im Zusammenhang mit der Übernahme von Land eine Grundlage ihrer Vollbürgerrechte erhielten. Sie gehörten damit zu einer Schicht, die sich von den Fremden, den Tagelöhnern und Knechten, von den Frauen und Kindern deutlich abhob. Sie gehörten zu dem עם הארץ.[41] Diese Landverteilung betraf jeweils die Gesamtheit einer Sippe oder eines Stammes und schloß damit eine grundsätzlich neue Besitzordnung ein, war also ein gewisser Festpunkt im Leben eines Stammes.

Die Aufnahme in die Schicht der Vollbürger war dazu angetan, im Verlaufe eines Initiationsritus diese feierliche Vereidigung vorzunehmen. Jetzt mußte mit aller Klarheit und Verbindlichkeit ausgesprochen werden, welche Vergehen die neu erlangten Rechte im Interesse der Gemeinschaft wieder aufheben, ja sogar den Ausschluß aus der Gemeinschaft zur Folge haben konnten. Diese Vollbürger mußten vom ethischen Standpunkt aus integere Leute sein. Sie sollten sich mit den Häuptern der Gemeinschaft die Wahrung der Rechte, d.h. auch der Rechte derer angelegen sein lassen, die eben nicht die bürgerliche Vollberechtigung genossen. Wie leicht konnten deren Ansprüche an Einzelne oder an die Gemeinschaft mit Füßen getreten werden. Dieser Fürsorgepflicht sollte sich jeder Vollbürger bewußt sein. Er soll sich auch gegenüber denen, die unter körperlichen Gebrechen litten, rechtschaffen zeigen, und deren ohnehin schon schwere Leiden nicht obendrein zu ihrem Schaden ausnutzen. Von diesen Behinderten wird hier nur der Blinde genannt, vielleicht, weil dieses Los als das härteste empfunden wurde. Das schlösse dann möglicherweise alle anderen Körperbehinderungen ein. Lev 19, 14 nennt neben dem Blinden den Stummen, Hi 29, 15 zusätzlich den

41 Zur Verwendung des Begriffes עם vgl. L. Rost, "Bezeichnungen von Land und Volk im Alten Testament," *Festschrift für O. Procksch*, 1934 = *Das kleine Credo und andere Studien zum Alten Testament*, 1965, S. 75–101, S. 91. Die von L. Rost vertretene und weithin aufgenommene Interpretation von עם als Bezeichnung der außen- und innenpolitisch maßgebenden Schicht des Volkes stützt die hier versuchte Deutung von Dt 27, 16–25.

Gelähmten. Die Proverbien deuten die Fürsorge sogar theologisch aus. "Wer den Geringen bedrückt, schmäht dessen Schöpfer, aber ihn ehrt, wer sich des Armen annimmt" (Prov 14, 31; vgl. 17, 5). Die körperlich Behinderten werden in der Reihenfolge der Eidesformeln unmittelbar vor den personae miserabiles genannt.

Nicht unwesentlich scheint in diesem Zusammenhang auch die Verfluchung der Tierschande zu sein (v. 21). Diese sexuelle Widernatürlichkeit mußte im Interesse gerade der jungen Mannschaft ausgeschaltet werden. Solcherlei Verbote (vgl. Ex 22, 18; Lev 18, 23) stehen in der Regel in Verbindung mit denen der unerlaubten sexuellen Beziehungen überhaupt. Sie dienen dem Schutze der Mannbarkeit. Ebenso ehrenrührig war auch die heimliche Ermordung eines Stammesangehörigen (v. 24). Gerade die Heimlichkeit drückt eine Vorsätzlichkeit aus. Dazu mußte man mit Vorbedacht Zeit und Ort auswählen (Gen 4). Dies wurde sicher als das empfunden, was wir heute als "kriminell" bezeichnen. Solches Verhalten schloß durch Wirksamwerden der Eide "automatisch" von der Vollbürgerschaft aus. Schließlich sind heimliche Untaten ohnehin mit dem negativen Votum der Heimtücke behaftet, da man einen solchen Untäter nicht zur Rechenschaft ziehen konnte, weil Zeugen fehlten. Ein israelitischer Vollbürger mußte jedoch ein aufrechter Mann sein und alles zum Nutzen und Gedeihen von Familie und Sippe tun, und nicht dagegen.

Gerade die Verpönung der Irreführung eines Blinden, der sich ja nicht selbst helfen kann, der heimlichen Tötung eines Sippenangehörigen lassen die Höhe der sittlichen Anforderungen erkennen, die man an den Vollbürger stellte. G.v.Rad betont in seinem Kommentar,[42] daß diese Reihe eben alle die Vergehen verfehmt, die in Heimlichkeit begangen werden, in jenem Bereich des Lebens, in dem es weder einen Richter noch einen Kläger gibt. Wo anders werden denn auch Sexualdelikte begangen? Indem sich das Volk der jungen Vollbürger zu diesen hohen Verpflichtungen bekannte und das "Amen" darauf sprach,[43] unterstellte es sich der Macht des Fluches, der gegen die Eidbrecher selbsttätig seine Herrschaft ausübte. Diese Einwilligung in die Verpflichtung eines איש und gleichzeitig das Eintreten in die Fluchsphäre, in der ebenso unnachsichtig wie unverzeihlich gestraft wird,[44] verleihen dem jungen Vollbürger die Rechte und Würde eines Mannes.

42 *ATD* 8, 1964, z, St.

43 Zu "Amen" vgl. J. Pedersen, *Der Eid bei den Semiten*, S. 166; A. Jepsen, *ThWAT* I (1971), S. 313 ff, 345–347.

44 Zur Wirksamkeit des Fluches vgl. H. Graf Reventlow, "Kultisches Recht im Alten Testament." *ZThK* 60, 1963, S. 267–304, S. 290; C. Westermann, *BHH* I, 1962, Sp. 487 f., dort Literatur.

Der Umstand, daß kultische Verpflichtungen nicht sonderlich genannt werden, ja, daß der Jahwe-Name im gesamten Ritual überhaupt nicht angerufen, bei seinem Namen nicht geschworen wird, spricht dafür, daß wir es beim Eid mit einer Form des profanen Rechtsbereiches zu tun haben. Im Gegensatz zu Num 5, 21 wird auch des ahndende Eingreifen Jahwes im Eideszeremoniell nicht erwähnt, sondern die Flüche werden allein mit dem "Amen" der Männer in ihre Rechte eingesetzt und damit wirksam.

Dennoch zeigt uns Num 5 auch ein anderes. Das Eifersuchtsopfer wird als solches am Heiligtum vollzogen, die Frau wird "vor Jahwe gestellt" (v. 16.30). Wo anders sollte wohl ein Vereidigungszeremoniell trotz seiner profanen, unsakralen Zielsetzung vollzogen worden sein als an einem Heiligtum? Werden doch im Eid profane Aussageinhalte sakral sanktioniert! Vielleicht hat die Überlieferung insofern sogar die richtige Nachricht übermittelt, daß am Heiligtum zu Sichem derartige Vereidigungen vorgenommen wurden, ob von jungen Vollbürgern ganz Israels oder denen der nahewohnenden Stämme und Sippen, das mag dahingestellt bleiben. Auf jeden Fall aber waren die jungen Bürger, die diesen Eid leisteten von vorn herein kultfähige Leute. Die kultischen Verpflichtungen sind jedoch nicht eigens Gegenstand dieser Vereidigung.

Ebenso spielt die Frage der Wehrfähigkeit der Eidleistenden in diesem Zusammenhang keine Rolle. Wenn Dt 20, 7 verfügt, daß ein Verlobter, der seine Braut noch nicht heimgeführt hat, eben so ein Jungvermählter (Dt 24, 5) dem Feldzug fern bleiben sollten, so bedeutete dies, daß junge israelitische Männer bereits vor der Ehe und formalen Vollbürgerschaft ihren Heeresdienst zu leisten hatten, sonst wäre ja der Nichtverheiratete ohnehin vom Wehrdienst ausgeschlossen. Nach Num 1, 3; 26, 2; 2 Chr 25, 5 ist der Eintritt in das Wehrdienstalter bei zwanzig Jahren festgelegt. Ob diese Verpflichtung zu allen Zeiten und an allen Orten in der Weise gegolten hat, mag dahingestellt bleiben. Sicher aber haben auch Unverheiratete und Nichtgrundbesitzer am Aufgebot teilgenommen, insbesondere wenn sie von Hause aus Anwartschaft auf die Vollbürgerrechte hatten. Nach den Berichten von 1 Sam 18, 17ff wurde David von Saul mit seiner Tochter verheiratet, nachdem er bereits als Offizier in seinem Heere Dienst getan hatte.

Der Augenblick der Auslosung des Gemeindelandes fiel also nicht mit dem Eintritt in die Wehrfähigkeit zusammen, sondern setzte diese bereits mit dem Eintritt in ein bestimmtes Alter voraus. Aus diesem Grunde geht die Eidesformel von Dt 27 auf die militärischen Verpflichtungen nicht ein. Diese bestehen ohnehin schon und scheinen das Leben des jungen israelitischen Mannes geprägt zu haben. Auffälligerweise führen nämlich die Dt 27, 16–25 vergleichbaren Fluchformulierungen des Alten Testaments in die kriegerischen Bereiche hinein:

Verflucht sei, wer sein Werk lässig betreibt,
Verflucht, wer seinem Schwert das Blut vorenthält!
(Jer 48, 10. Partizipialkonstruktion).

Verflucht sei, wer Benjamin seine Frau gibt! (Jud 21, 18)

Der Kontext dieser partizipialen Fluchformel behandelt die militärische Strafaktion gegen Benjamin wegen der Untat eines Benjaminiten an der Frau eines judäischen Leviten (Jud 19–21).

Verflucht sei der Mann vor Jahwe, der sich aufmacht und diese Stadt, nämlich Jericho, wieder erbaut! Um den Preis seines Erstgeborenen wird er sie begründen, um den Preis seines Jüngsten wird er seine Tore einsetzen.

(Jos 6, 26, Relativsatzkonstruktion). Der Kontext behandelt die Zerstörung der Mauern Jerichos.

Verflucht sei der Mann, der Brot ißt bis zum Abend, und bis ich mich gerächt habe an meinen Feinden!

(1 Sam 14, 24, Relativsatzkonstruktion). Der Kontext berichtet über Sauls Feldzug gegen die Philister und läßt erkennen, welche Folgen eine, wenn auch unbewußte Übertretung dieser verfluchenden Anordnung nach sich ziehen kann.

Ohne den Befund dieser wenigen Stellen überinterpretieren zu wollen, darf man feststellen, daß verbindliche Verpflichtungen im militärischen Bereich mit Vorliebe in Gestalt solcher promissorischen Verfluchungen ausgedrückt wurden. Wenn dies so ist, dann war die in Dt 27, 16–25 verwendete Eidesformel gerade den jungen Männern des Heeresaufgebots eine geläufige und angemessene Form.

Nach allem bisher Gesagten ist mit dem "ganzen Volk", das mit "Amen" respondierte und sich unter den Fluch stellte, ursprünglich die junge Mannschaft gemeint,[45] die nunmehr durch die Belehnung mit einem Stück des Gemeindelandes oder sonstigen Grundbesitz in die Vollbürgerschaft aufgenommen wurde. Die Verfluchung stellt damit so etwas wie einen Ehrenkodex des israelitischen Vollbürgers dar, der diesen Eid sicher nur einmal in seinem Leben leistete, um in diese Rechte und Pflichten eingesetzt zu werden. Eine Wiederholung dieses Eides hebt im Grunde genommen seine totale Verbindlichkeit wieder auf.

45 Vgl. Anm. 41, L. Rost, *Bezeichnungen von Land und Volk.*

Ist der Inhalt des Vereidigungszeremoniells richtig gedeutet, so ist nunmehr die Frage nach der Entstehungs- und Verwendungszeit beantwortbarer geworden. Der Umstand, daß es sich bei der Eidesleistung um Belehnung mit Gemeindeland oder sonstigem Grund und Boden handelt, setzt auf jeden Fall die Seßhaftigkeit voraus und damit den Übergang zur Landbearbeitung.[46] Somit ist der terminus post quem gegeben, die Seßhaftwerdung. Der terminus ante quem ergibt sich daraus, daß eine Verteilung des Gemeindelandes allgemein als eine Erscheinung der Frühzeit Israels nach der Landnahme angesehen wird. Mit der Entstehung des Königtums und der dadurch gegebenen strukturellen Umwandlung der gesellschaftlichen Ordnung werden sich die urwüchsigen Gepflogenheiten sicher langsam geändert haben,[47] ohne dadurch jedoch völlig in Vergessenheit zu geraten. Wahrscheinlich ist diese Formulierung des Eides in Sichem, und dort sicher zunächst in priesterlichen Kreisen und denen des alten israelitischen Landadels tradiert worden. Losgelöst aber vom ursprünglichen Akt der Landvergabe wurde die Formel früher oder später obsolet, ihres originalen Inhalts entleert.

Dies mag den Ergänzer des Deuteronomiums vielleicht dazu bewogen haben, den Eid, den Ehrenkodex des israelitischen Vollbürgers, als Torah zu deuten und in ein für das Deuteronomium bezeichnendes Gewand zu kleiden. Dies geschah einmal dadurch, daß ein Fluch, allerdings im Relativsatzstil, vorangestellt wurde, der die Herstellung und Verehrung von Götzenbildern unterband (v. 15). Zum anderen wurde diese Eidesformel als Torah durch die Hinzufügung des letzten, des zwölften Fluches (v. 26) in das allgemeine israelitische Gerechtigkeitsideal eingefügt. Unter "Volk" verstand man nun nicht mehr nur die junge Mannschaft. Das ganze Volk der Männer wurde jetzt — auch ohne offizielles Vereidigungszeremoniell — unter diese Pflichten gestellt. Von der speziellen Verwendung her wurde der ursprüngliche Eidesdekalog zu einem allgemeinverbindlichen Dodekalog, der zu der Einhaltung aller übrigen Gebote verpflichtet. Dabei ist im gegenwärtigen Kontext sicher auch an die übrigen Gebote des Deuteronomiums דברי התורה הזאת gedacht.

Stimmt diese Feststellung, so hat das Deuteronomium in seiner Grundform bereits existiert, als der Eidesdekalog in seiner erweiterten Gestalt zur Stützung der Verbindlichkeit und Autorität dieser Gesetzessammlung eingearbeitet wurde. Auf diese Weise konnte sich das alte Vereidigungszeremoniell aus vorköniglicher Zeit über den gesellschaftlichen Wandel der Jahrhunderte retten, um als Dodekalog in das Deuteronomium und ähnlich anderen Gebilden dieser Art auf uns zu gelangen.

46 Anders V. Wagner, *Rechtssätze*, S. 39, 36 Anm. 21.
47 L. Delekat, *BHH* I, 1962, Sp. 262 ff, dort Literatur.

Daß sich derartige Verpflichtungsformen sehr lange in Gebrauch befanden, verbürgt uns glaubwürdig Nehemia in seiner sogenannte "Denkschrift." Neh 5 berichtet von den sozialen Mißhelligkeiten, die sich bei der Reorganisation des judäischen Gemeinwesens in der nachexilischen Zeit in Jerusalem ergeben hatten. Die einen waren wieder zu Einfluß und Wohlstand gelangt, allerdings auf Kosten der anderen, die völlig in ihre Abhängigkeit gerieten. Diese waren genötigt ihren Grund und Boden, Gebäude und Naturalien verpfänden zu lassen. Nehemia beruft daraufhin die Vornehmen und Vorsteher der Stadt zu sich und macht ihnen deshalb Vorhaltungen. Auf Grund seines eigenen Vorbildes bewegt er sie dann zu einem allgemeinen Schuldenerlaß und zur Rückgabe des eingezogenen Gutes. Darauf läßt er sie in Gegenwart von Priestern einen Eid leisten. Weiterhin berichtet er: "Auch schüttete ich in meinen Gewandbausch aus und sprach: 'So möge Gott jeden Mann aus seinem Hause und Besitztum auschütten, der dieses Wort nicht hält! So soll er ausgeschüttet und leer werden!' Und die ganze Versammlung sagte 'Amen.' Und sie priesen Jahwe, und das ganze Volk handelte nach diesem Wort" (v. 13). Eine sinnbildhafte Verfluchung und die Responsion der Betroffenen durch das "Amen" schließen die Vereidigung in aller Form ab. Nehemia beeilt sich auch, zu berichten, daß dieser Eid dann getreulich gehalten worden ist.

NEW EVIDENCE FOR READING *GE'IM* IN PLACE OF *GOYIM* IN *PSS. 9* AND *10*

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I

PROFESSOR H. L. Ginsberg has proposed[1] that we read *ge'im* גאים for *goyim* (גוים) in Pss. 9:16, 16, 18, 20, 21 and 10:16. If correct, this reading would affect H. Birkeland's contention that "....*gentiles* are the only relevant evil-doers in the Book of Psalms"[2] (italics added). Birkeland's appeal that the unemended text speak for itself[3] would seem to be a rebuttal of Ginsberg; the present writer feels, however, that the problem of identifying or classifying "evil-doers" in Psalms is not settled, while its importance justifies the collection of any evidence tending toward a solution.

This study will present: (1) Causes and traditions reflecting confusion of the two terms, and (2) evidence from semantic field study pertaining to the qualitative difference between the two. The weight of this evidence offers a measure of support for Ginsberg's proposal.

II[4]

Confusion of the two terms is possible because of their similar orthography, especially as regards forms of the root גאה. Although rare[5] the form גוה is attested in Scripture along with the more frequent גאוה and גאות. These similarities have produced confusion in extra-Biblical texts, Scripture and traditional commentary. We will consider the textual evidence in that order.

1 H. L.Ginsberg, "Some Emendations in Psalms," *HUCA* XXII pt. 1 (1950–51), pp. 97–104, especially pp. 98f.

2 H. Birkeland, *The Evil-doers in the Book of Psalms,* Oslo: Dybwad, 1955, p. 65.

3 *Ibid.,* p. 11. Birkeland's study is an abridged, revised translation of the earlier *Die Feinde des Individuums in Israelitischen Psalmenliteratur* (1933).

4 The writer is indebted to Prof. Nahum M. Sarna for the material in this section.

5 It is found in Jer. 13:17 and Job 22:29. Cf. Job 33:17.

In the Dead Sea Scrolls (IQIsa^{a}) Professor E.Y. Kutscher[6] mentions the use of *'aleph* as a medial *mater lectionis* and gives a list of those verses in the Scroll where it is so found.[7] On the other hand, S. Talmon holds that, "The elision of radical *'aleph* is no rare occurrence."[8] Clearly, an original גאים could be written as גים and, with a dittograph, be read as *goyim.* (*Yod-yod* mistakenly read as *vav-yod* would produce *goyim.*)

Just such a reading (*yod-yod*) is found in Genesis 25:23a in the narrative of the birth of Esau and Jacob. The *Ketib* text has: ויאמר יי לה שני גיים בבטנך ושני לאמים ממעיך יפרדו. The *Qere,* noted by the Masoretes, is *goyim.*[9] However, it is interesting to note that the Talmud (*Berakot* 57b) expounds the *Ketib,* interpreting the words as the "two proud ones."[10] Our point here is the recognition that גיים could legitimately be written for גאים.[11]

Do Psalms 9 and 10 contain examples of orthographic confusion? On the above grounds, an affirmative answer could not with certainly be given. However, biblical words can often be understood by their use in regularly recurring contexts.[12] Hence, we must now examine the contexts in which *goyim* and *ge'im* appear, to see what regular associations, if any, are present. This is the business of semantic field study.

6 E. Kutscher, *The Language and Linguistic Background of the Isaiah Scroll* (Hebrew), Jerusalem: Magnes, 1959, pp. 404 ff.

7 *Ibid.* He lists 2:2,4; 5:23; 10:7; 13:4; 14:6, 9, 18, 26 etc.

8 S. Talmon, "Double Readings in the Massoretic Text," *Textus* I (1960), p. 161 fn. 39. Talmon cites A. Sperber, "Hebrew based upon Biblical passages in Parallel Transmission," *HUCA* XIV (1939) pp. 220 ff. as giving further examples.

9 The same *Qere-Ketib* is found in Ps. 79:10. These passages and four others dealing with *ṣeb('a)im-ṣebim* are listed in R. Gordis, *The Biblical Text in the Making,* Philadelphia: Dropsie, 1937, pp. 94 f. and 171 (fn. 90). Gordis's book was reissued by KTAV in 1971.

10 Rashi (*ad loc.*) further identifies the "two proud ones" as Rabbi (Judah the Prince, compiler of the Mishnah, ca. 135–? c.e.) and Antoninus (Marcus Aurelius Antoninus or his successor, Septimus Severus.)

11 Orthographic confusion of these letters is not confined to the ancient period. Mandelkern's concordance (p. 243d) and BH^{3} show different spellings for the *hapax legomenon lig'eyonim* (*Ketib*) in Ps. 123:4.

12 ". . . . the idea that a word can take on a distinctive character by being consistently used in a particular context has never been disputed," J. Sawyer, "Root Meanings in Hebrew," *Journal of Semitic Studies* XII (1967), p. 46.

III

The work from which the present paper derives[13] is an investigation of the semantic field[14] "antagonist."[15] The constituent terms of a given semantic field, while conceptually related, still retain separate shades of meaning.[16] This means that it is not a matter of indifference which of many related words is found in any given context.[17]

For example, as noted in the Brown-Driver-Briggs *Lexicon* (p. 957a), *raša'*, a word from the semantic field 'antagonist,' is used in opposition to the word *ṣaddiq*. But the word *'oyeb* (usually translated "enemy") is not so used. This provides some evidence that these two words could not be freely substituted for each other.[18]

Similarly, the use of *goyim* and *ge'im* in Psalms contexts, notably their relationships with *'oyeb* and *raša'*, supports Ginsberg's emendations.

In the present case, our starting point was the "pair" *'oyeb* and *raša'* (and their accompanying nominal variations) from the semantic field "antagonist." Since these two terms are decidedly more frequent in

13 The writer's dissertation, "The Concept of 'Antagonist' in Hebrew Psalms: A Semantic Field Study" was done at Brandeis University under the direction of Professor Nahum M. Sarna. While it is hoped that Dr. Sarna's imprint will be apparent here, any shortcomings are the writer's.

14 The term "semantic (lexical) field" is now widely used. See: James Barr, *Comparative Philology and the Text of the Old Testament*, Oxford; Clarendon, 1968, pp. 170, 89 f. and 136 ff. It comes from the work of F. de Saussure, *Cours de Linguistique Generale*, (1916).

S. Ullmann, *Principles of Semantics*, Oxford, 1962, p. 157, provides this definition of "semantic field:" a closely knit and articulated lexical sphere where the significance of each unit is determined by its neighbors, with their semantic areas reciprocally limiting one another and dividing up and covering the whole sphere between them.

15 Of the five common English words in this field (antagonist, adversary, enemy, foe, opponent) the first is felt to have the least pernicious associative connotations.

16 At least one modern linguist has proposed that there are no synonyms. See: N. Goodman, "On Likeness of Meaning," *Analysis* X:1 (1949), reprinted in *Philosophy and Analysis*, ed. M. MacDonald, New York: Philosophical Library, 1954, pp. 54–62.

17 The writer's dissertation deals at some length with so-called poetic or stylistic requirements. It is our contention that this essentially valuable, but limited tool has been blunted by uncritical use.

18 As Goodman puts it ("On Some Differences About Meaning," *Analysis*, XIII:4 [1953], reprinted in *Philosophy and Analysis*, op. cit., pp. 63–9): "Two terms are synonymous if and only if a) they apply to exactly the same objects, and b) each compound term constructed by combining certain words with either of the terms in question applies to exactly the same objects as the compound term constructed by combining the same words in the same way with the other of the terms in question" (pp. 63–4).

Psalms than any of the sixteen or so other members of the field,[19] the use of either term in conjunction with either *goyim* or *ge'im* offered, on the one side, a new perspective on Ginsberg's argument and, on the other, a direct way of appraising Birkeland's notion that "....gentiles are the only relevant evil-doers ....."[20]

On a quantitative level this was immediately borne out. We found that *'oyebim* and *goyim* are found together a disproportionately high number of times compared to the conjunction of *reša'im* and *goyim.* (Since *'oyeb* is found somewhat fewer times in Psalms than *raša'*, we would expect the former to be used with *goyim* somewhat less frequently than the latter. In fact, however, *'oyebim* and *goyim* are found together in more than twice as many Psalms as *reša'im* and *goyim.*[21])

19 Nominal forms of איב come 74 times; nominal forms of רשע come 83 times (excluding רֶשַׁע). No other term comes more than 24 times. We have identified eighteen terms, not including *hapax* and *dis-legomena,* as belonging to the field. Cf. O. Keel, *Feinde und Gottesleugner,* Stuttgart: Verlag Katholisches Bibelwerk (Stuttgarter Biblische Monographien # 7), 1969, pp. 93–98.

20 The research suggested that Birkeland's equation does hold with reference to the term *'oyeb.* Cf. such non-Psalmic Psalms as Exodus 15 and Judges 5.

21 The following chart shows those Psalms containing *goyim* and either *'oyeb* or *raša'* or both.

אויב	גוים	רשע
	2:1, 8	
9:4, 7	9:6, 16, 18, 20, 21	9:6, 17, 18
	10:16	10:2, 3, 4, 13, 15²
18:1, 4, 18, 38, 41, 49	18:44, 50	
	22:28, 29	
	33:10, 12	
43:2	43:1	
44:17	44:3, 12, 15	
	46:7, 11	
	47:9	
59:2	59:6, 9	
66:3	66:7	
	67:3	
72:9	72:11, 17	
78:53	78:55	
	79:1, 6, 10	
80:7	80:9	
	82:8	82:2, 4
83:3	83:5	
	86:9	
	94:10	94:3, 13
	96:3, 10	
	98:2	
102:9	102:16	
	105:13, 44	

Not all of the above pairings (nineteen in all) were "parallel" usages, but our research supports the view that Hebrew Psalms are organic poems and, therefore, that the use of two related words in a given Psalm need not be parallel for there to be a substantive connection between them.[22] Still, parallelism is a widely recognized stylistic device, so it was significant to note that *goyim* and *reša'im* are not found in parallel outside of Pss. 9 and 10, the same Psalms that Ginsberg would have us emend. A case may be made for parallel usages of *'oyebim* and *goyim* in Pss. 18 (twice), 43, 44, 72, 80, 106, 110. On the other hand, though *ge'im* comes only twice in Psalms, both of its occurrences are parallel with *reša'im*[23] which is precisely what Ginsberg's evaluation of the terms would lead us to expect.

A connection between "wicked" (*reša'im*) and "proud" (*ge'im*) is noted by Ginsberg and contextually supported by references to Pss. 10: 2,[24] 36:12 and Job 40:12. (We might wish to add Pss. 31:18 ff. and 73:3, 6, but cf. 73:12.) Ginsberg emphasizes that the word *ge'im* attaches to "......individual native Israelite malefactors......" and adds, "That

106:10, 42	106:5, 27^2, 35, 41, 47	106:18
110:1, 2	110:6	
	111:6	
	113:4	
	115:2	
	117:1	
	118:10	
	126:2	
	135:10, 15	
	147:20	147:6
	149:7	

Goyim with *'oyebim* and *reša'im*: twice without emendation
Goyim with *'oyebim* alone ten times
Goyim with *reša'im* alone three times

22 Barr, *Comp. Phil.*, *op. cit.*, p. 170. Cf. S. Gevirtz, "Patterns in the Early Poetry of Israel," (*Studies in Ancient Oriental Civilization* (of the University of Chicago Oriental Institute) # 32), Chicago: U.C. Press, 1963, pp. 6 f. Note the frequency with which *goyim* and *'oyebim* come in close proximity to each other in the Psalms.

23 Namely: Pss. 94:2 and 3; 140:6 and 5. Its other occurrences are Prov. 15:25 and 16:19.

24 The specific case for emendation of Ps. 10:16 might be influenced by literary considerations, vv. 2 and 16 forming a "literary framework." On this device see: L. J. Liebreich, "Psalms 34 and 145 in the Light of Their Key Words," *HUCA* XXVI (1956).

haughtiness is the root of wickedness is not the discovery of Isaiah."[25]

The implication here is an identification of *ge'im* with *reša'im.* To this we add that, despite their wide use in Psalms, *goyim* and *reša'im* are found together in a single Psalm (excluding Pss. 9 and 10) only four times and not in parallel. (On the other hand the conjunction or parallel usages of *goyim* and *'oyebim* are sufficient to suggest an affinity between them.)

V

We feel the following is now clear: 1) that orthographic similarities facilitate confusion (or conflation) of *goyim* and *ge'im;* 2) that there is textual evidence that they were in fact confused; 3) semantic field research adds that, as between *goyim* and *ge'im,* the meaning and distribution of both terms in Psalms indicates that *ge'im* belongs with *reša'im* while *goyim* does not.

To the degree that our contention is true, Professor Ginsberg's emendations stand strengthened.

AUGMENTED VERBS IN BIBLICAL HEBREW *

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SEMITIC roots are mainly triradical. This characteristic feature, common to all the Semitic languages, [1] has been considered the most important idiosyncrasy of these tongues, to the point that sometimes they are referred to as "the triliteral languages." [2]

Hebrew, a Semitic language, is no exception here, and at least in its earier stages, [3] by far the majority of Hebrew roots consist of three consonants. [4]

Yet there are in Hebrew, as there are in the other Semitic languages, many roots with two radicals on the one hand, and some roots with four or five radicals on the other. [5]

* The present study is an expansion and elaboration of a small part of the material gathered for another study (infra, note 1), done at U.C.L.A., under the guidance and with the help of Professor Wolf Leslau.

1 Cf. C. Brockelmann, *Grundriss der vergleichenden Grammatik der semitischen Sprachen* I (Hildesheim: Georg Olms, 1962), §7. This book is abbreviated in the following as: Brockelmann.

Other main reference studies are abbreviated as follows: Gesenius = *Gesenius' Hebrew Grammar,* ed. E. Kautzsch and A. E. Cowley, Oxford, 1957; Moscati = S. Moscati, *An Introduction to the Comparative Grammar of the Semitic Languages,* Wiesbaden: Otto Harrassowitz, 1964; *The Quadriradical Verb* = I. Yannay, *The Quadriradical Verb in the Hebrew Language,* Ann Arbor (Michigan): University Microfilms, 1970; *Multiradicals* = I. Yannay, "Multiradical Verbs in the Hebrew Language," *Lešonenu* XXXVIII, 1–2, pp. 118–130; 3, pp. 183–194 (1973–4)—[Hebrew].

2 See Henri Fleish, *Introduction a l'Étude des Langues Semitiques* (Paris: Adrien-Maisonneuve, 1947), p. 20.

3 For later stages of the language see note 7, below.

4 Cf. Gesenius, § 30 *a*.

5 Cf. Moscati, §11.5.

The present article treats verbs of the latter types in the Hebrew language, namely the quadri- and the quinquiradical verbs in Biblical Hebrew (abbreviated BH from now on).[6]

The number of 4-radical verbs in the Bible is small: about thirty-four out of a total of some 1486 verb roots. This means that 4-radical verbs comprise a little more than two percent of BH verb roots, i.e., a relation of one to fifty.[7]

Quinquiradical verbs in BH are rare: only three examples are attested, plus some disputable forms.[8]

Now, in view of the statement opening this article, the question is whether such 4- and 5-radical verbs are original in the language, or, if not, what their source is, and how they develop.

As a result of the present study my answer is that, as a rule, BH quadriradical and quinquiradical verbs are secondary formations. As the title of this article suggests, they arise from augmentation of bi- or triconsonantal roots. This study intends to describe the ways and the procedures through which such augmentation takes place.[9]

Since the present paper is mainly descriptive, and since its objective is

6 There are, of course, many quadriconsonantal and quinquiconsonantal nouns and adjectives in BH, such as אַכְזָר *'aḵzār,* "cruel, fierce one," שַׁרְבִיט *šarḇiṭ,* "sceptre," שְׁקַעֲרוּרוֹת *šĕqaᶜărūrōṯ,* "hollow depressions," אֲדַמְדֶּמֶת *'ăḏamdemeṯ,* "reddish," and others. Some such nouns and adjectives served later on, in subsequnt periods of the language, as bases for denominative 4-radical and 5-radical verbs. However, such verbs are post-Biblical, and therefore they are not a subject for the present study. Detailed discussions of such verbs may be found in *The Quadriradical Verb,* and in *Multiradicals* (supra, note 1).

7 The number of 4-radical verbs increases immensely during subsequent historical stages of the language. Summing up all the quadriradical verbs formed in Hebrew until today, their number surpasses twelve hundred, whereas the estimated total verb count in the Hebrew language is approximately twenty-seven hundred. This means that today, in contrast with BH, between one third and one half of the entire stock of Hebrew verbs are quadriradical. Obviously, not all of these 4-radicals are used often, but this is true also for triradicals and biradicals.

8 Here too (cf. previous note), the number of quinquiradical formations of verbs increased through the ages, reaching its peak in Modern Hebrew. There are today approximately fifty multiradical verbs in the language (5–,6–, and perhaps even 7-radical verbs). For details see my study *Multiradicals* (supra, note 1).

9 For the disputable forms see below, § 8. Cf. note 6, above, in this context.

to present the facts of the language, to the extent that one is able to really understand the relevant facets of BH, therefore, the etymological and the comparative research is quite limited here and is offered on the authority of the various BH etymological dictionaries and other lexical studies. Such a treatment enables the present author to offer a general and encompassing view of the phenomenon of augmented verbs rather than to list particular details.

1. Reasons For Augmentation.

The major reason for the formation of augmented verbs in Hebrew seems to be the desire to clarify or modify existing modes of expression. After all, most Hebrew words follow a relatively small number of definite patterns, the latter being series of vowels, with or without affixes, blended with roots. The number of these patterns has been fixed and did not actually grow since the days of the earliest available records of the language. For verbs this number is even smaller than it is for nouns. For all practical purposes, there are just seven Hebrew verb patterns or "stems" (בִּנְיָנִים). Now, since the number of BH verb roots is quite small the language has a rather limited range of possibilities for producing new verbs.

By augmenting bi- and triradicals, expanding them to 4- and 5-radicals, the language enlarges its stock from which to derive verbs and nouns.[10]

This augmentation provides innumerable opportunities to modify and innovate, opportunities established by biblical Hebrew and taken over and used extensively by later stages of the language: Mishnaic and Rabbinic Hebrew, Medieval Hebrew, and mainly Modern Hebrew.

10 One should mention here the opinion expressed by many, e.g. Gesenius, § 30, or James Barr, *Comparative Philology and the Text of the O.T.* (Oxford, 1968), pp. 166–170, or, most recently, J. Blau, תורת ההגה והצורות (= *Phonology and Morphology* [of the Hebrew language]) (Tel-Aviv: Hakibbutz Hameuchad, 1972), pp. 110–111, that a large number of triradical roots derive from biconsonantal roots, through augmentation. In that case some of the examples in our study may have undergone secondary or even tertiary augmentation.

2. Ways of Augmentation.

The data collected suggest two ways of augmentation, internal and external.

2.1. In the internal way of augmentation the expansion of the original bi- or triradical verb is done either by repeating one or more of its radicals (e.g. √ אמלל < √ אמל ; √ חמרמר < √ חמר), or by reduplicating two of the original radicals and eliminating the third (e.g. √ שִׂגְשֵׂג < √ שׂגא/ה). No new, external element has been added to the root.

2.2. In the external way of augmentation the expansion of the original verb is made through affixation. A new element is introduced into the original triradical, thus making it quadriradical (e.g. √ כרסם < √ כסם ,√ תרגל < √ רגל).

2.3. There are some 4-radical verbs in BH that can not be designated "augmented" since they can not be traced back to any bi- or triradical that has undergone any process of augmentation (e.g. √ שׂמאל, √ פרשז).

Such verbs are perhaps original quadriradicals, or else their 4-radical formations result from procedures other than augmentations (e.g. √ רטפשׁ < √ רט(ב+ט)פשׁ < √ טפשׁ + √ רטב).

3. Results of Augmentation

3.1. The 4- or 5-radicals resulting from the various procedures of augmentation would generally modify the meaning of the original triradicals, e.g. וַתִּתְחַלְחַל *wattiṯ+ḥalḥal,* "to tremble from fear" (3rd pers. fem. sg.), √ חלחל < חִיל *ḥīl,* "to fear." (Further details and additional examples are offered at the beginning of each section).

3.2. However, in some cases it is hard to see any semantic change between the original and the augmented forms. The new formations seem to have been innovated for "external motives," such as a speaker's or a writer's feeling that an expanded form is more expressive, more artistic, or perhaps more sophisticated.

One may count even graphic and semantic reasons among those motives.[11]

3.3 In those cases where the meaning is modified the expansion can express diminishing, reduction or weakening of the action connoted by the original triradical, e.g. כִּלְכֵּל *kilkēl,* "to sustain" < כָּל *kāl,* "to hold, contain ;" it can express a specific meaning, whereas the triradical verb connotes a more general meaning, e.g. קִלְקַל *qilqal,* "to shake" < √ קלל *QLL,* "to be slight, swift ;" and it can express an intensification and strengthening of the action connoted by the triradical, e.g. סְחַרְחַר *sĕḥarḥar,* "to palpitate" < √ סחר *SḤR,* "to go around", or זַעֲזֵעַ **zaᶜzēaᶜ,* "to shake violently" < √ זוע *ZWᶜ,* "to tremble."

4. Morphological Observations.

4.1. Stems. Augmented verbs in BH are conjugated, as a rule, in one or more of the following derived stems :[12] Piᶜēl, Puᶜal, and Hitpaᶜel.[13]

These verbs with four or five radicals, do not normally have their second radical geminated (the rule for triradicals in the stems mentioned). Instead, two root-consonants (the second and the third, in the case of 4-radicals) of the augmented verb take

11 Cf. R. Sivan, *Patterns and Trends of Linguistic Innovations in Modern Hebrew* (Doctoral Thesis at the Hebrew University, Jerusalem, 1964 [Hebrew]), pp. 87–88.

12 The same is true for other stages of the language as well. Cf. the studies mentioned in note 1.

13 The only exceptions to this rule are two verbs conjugated in the Hipᶜīl stem. These verbs are: הִשְׂמְאִיל **hiśmĕʾīl,* תַּשְׂמְאִילוּ *taśmĕʾīlū,* "to move or turn left" (2nd pers. masc. pl. imperf.), √ ŚMʾL. The quadriconsonantal form of this verb, in other forms, is attested three times in BH (Gen. 13:9; Is. 30:21; I Chr. 12:2). There are two more occurences of this verb in the biblical text (Ezek. 21:21; II Sam. 14:19), but there the words are triconsonantal. The noun from which this verb derives, namely שְׂמֹאל *śĕmō(ʾ)l* "left", is spelled with a quiescent א ʾ ; the other exception is הֶאֱזְנִיחַ **heʾeznīaḥ,* הֶאֱזְנִיחוּ *heʾeznīḥū* "to become stinking, emit stench" (3rd pers. masc. pl.), √ ʾZNḤ, < √ ZNḤ The reading of the verb under consideration in the text is disputed.
In Modern Hebrew I found three more examples of 4-radicals in the Hipᶜīl. See note 1, above.

the place of the one geminated consonant of the triradical root.

The pattern is always $C_1iC_2C_3\bar{e}C_4$, in the case of 4-radicals, e.g. גִּלְגֵּל *gilgēl*, "to roll, revolve," whereas in triradicals the pattern is always $C_1iC_2C_2\bar{e}C_3$, e.g. דִּבֵּר *dibbēr*, "to speak." Morphologically the difference between the two patterns is a slight one; this seems to be the reason why the verbal stems mentioned, Piᶜēl, Puᶜal, and Hitpaᶜēl, accommodate so exclusively the augmented verbs in Hebrew.

In the case of the 5-radicals the pattern is once $C_1oC_2C_3\bar{a}C_4\bar{a}$-($C_5$) [יָפְיָפָה **yopyāpā(h)*] and twice $C_1\check{e}C_2aC_3C_4aC_5$ [סְחַרְחַר **sĕḥarḥar*; חֲמַרְמַר **ḥămarmar*]. Obviously, the data are too scanty to establish a rule for Biblical 5-radicals. Yet, the last two examples follow the pattern of adjectives such as יְרַקְרַק *yĕraqraq*, "greenish," אֲדַמְדַּם *ʾădamdam*, "reddish," שְׁחַרְחֹרֶת *śĕḥarḥōret*, "blackish," and the like. [14]

4.2. Aspects. The 4-radical verbs follow regular BH patterns of aspects, moods, flexions, infinitive and participle forms. The three examples of 5-radical verbs are all in the perfect.

4.3. Verbal Classes (גְּזָרוֹת). Almost all the augmented verbs in BH may be classified as so-called "strong" verbs (שְׁלֵמִים). Only five examples seem to belong to the "weak" verb classes (נָחִים), all being in the *tertiae infirmae* group [which should be called rather *quartae* (or *quintae*) *infirmae*, since it is the fourth (or the fifth) radical in these verbs which is "weak"]. The two verbal classes attested are *quartaʾ* (ל״א), in the root טאטא *ṬʾṬʾ*, and *quarta (quinta) y* (ל״י), in the root טחוה *ṬḤWY*, תחרה *ṬḤRY*, שחוה *ŠḤWY* and יפיפה *YPYPY*.

5. Arrangement of the Material.

The material gathered and investigated for this study is arranged and presented in what follows according to the principles by which the verbs under consideration developed and became augmented.

14 Indeed, some such adjectives served in later stages of the language as bases for denominative 5-radical verbs. Cf. *Multiradicals*.

There are three major categories into which the verbs are divided :

I. Augmented verbs resulting from triradicals augmented internally ;
II. Augmented verbs resulting from triradicals augmented externally ;
III. Special cases.

Within each category are various groups comprising different types of verbs.

5.0. (For the purpose of the present study, "type" means a group of augmented verbs which have a common characteristic feature distinguishing them from other augmented verbs. Thus, for instance, type פעפע (1.2.1.2.) includes all the 4-radical verbs which have reduplicated first and second radicals, with the third radical of the original triradical eliminated, e.g. מרמר > מרר. This excludes, then, 4-radical verbs which, considered syncronically, show the same structure (1.2.1.2.) as the previous type, yet considered diachronically could be traced to a type פלפל, namely verbs that have reduplicated 1st and 3rd radicals, with the 2nd radical eliminated, e.g. זעזע > זוע.) [15]

5.1. Category I includes seven types :

(1) type פעפע, with three divisions :
  (a) augmented, 1. ע״ע verbs, and 2. ל״י verbs ;
  (b) onomatopoetic verbs; and
  (c) original verbs.
(2) type פלפל,
(3) " פעלל,
(4) " עלעל,
(5) " פעעל,
(6) " פעלע,

15 It must be stated at the outset that one cannot determine with certainty whether an augmented verb goes back to an עו״י or to a ל״י, or even to an ע״ע verb-class of an original triradical. Indeed, it is seldom that anyone can propose an etymology here with a considerable degree of certainty. Cf. J. Barr (supra, note 10), pp. 91, 108–9, et al.

(7) " פעלעל.

5.2. Category II includes four types, comprising two divisions:
(a) augmentation via prefixed elements,
(1) type תפעל, via -*t* (־ת); and
(2) " אפעל, "-ᵓ (־א).
(b) augmentation via infixed elements,
(1) type פרעל, via -*r* (־ר), and
(2) " פעוה, " -*w* (־ו).

5.3. Category III includes special cases :
(1) blends ;
(2) originals ; and
(3) undetermined.

6. I. Augmented verbs resulting from triradicals expanded internally.

6.0. The general way of internal expansion is described above, in § 2.1.

Formations resulting from repetition or reduplication of radicals are common in all Semitic languages,[16] and are known in other language families as well.[17]

6.0.1. These procedures serve various functions : deriving verbs from nouns and other parts of speech (e.g. יְפֵיפִית *yopyāpīṯā*, "you (masc. sg.) became very beautiful" < יָפֶה *yāpe*, "beautiful"); deriving adjectives from nouns (e.g. שְׁחַרְחֹרֶת *šĕḥarḥōret*, "blackish" < שָׁחוֹר *šāḥōr*, "black"); some forms are onomatopoetic words (e.g. צִפְצֵף **ṣipṣēp*, "to chirp"); many forms express the diminutive (e.g. אֲדַמְדָּם *ᵓădamdām*, "reddish" < אָדֹם *ᵓādōm*, "red"), while other forms express intensification (e.g. מְנַעֲנֵעַ **mĕ+naᶜănēaᶜ*, "to shake, rattle" < נוּעַ *nūaᶜ*, "to move."[18]

16 Cf. Moscati, § 12.29; Brockelmann, §§158–186.

17 See O. Jespersen, *Language* (London: Allen & Unwin, 1923), § 5 (p. 109), regarding reduplication by children.

18 Long disputes used to ensue over whether the effect of the reduplication or the repetition produce a diminutive effect or an incrementing effect. It has

Reduplication was used to express the plural notion as well.[19] Still, see § 3.2, end.

6.1. Type פעפע (1.2.1.2.)

This type forms the largest group of augmented verbs in BH. It includes some seventeen 4-radicals and one 5-radical, about one half of the examples collected.

6.1.0. Verbs in this type are the result of various procedures: (a) repetition of the first two radicals of a triradical verb (namely, its פ and its ע), while suppressing the third radical (the ל); (b) onomatopoetic creations, namely formation of words by imitation of sounds made by, or associated with its referent;[20] (c) original creations.

6.1.1. (a) Augmented verbs resulting from repeated 1st and 2nd radicals

Two sub-groups are found in this class:

1. Augmented verbs that go back to *mediae geminatae* triradicals;
2. Augmented verbs that go back to *tertiae y* triradicals.[21]

6.1.1.1. 1. Augmented verbs < triradicals of the ע״ע *(mediae geminatae)* verb-class (כְּפוּלִים).

been suggested (for literature and details see the appropriate sections in my studies mentioned at the end of note 1, above), that the basic function of the expansion mentioned is to indicate an intensification or a frequent repetition of the idea denoted by the original, unexpanded form.

19 See Brockelmann, § 240.

20 It is possible that onomatopoetic verbs are original formations and not augmented triradicals, and therefore do not belong to the scope of the present study. Yet, see Barr (supra, note 10), pp. 273–276 and literature there cited. Also, these examples were registered in this study, as well as other examples that are perhaps original 4-radical formations, in order to present a complete picture of the BH more-than-three-radical verbs.

21 Note 15 in § 5.0, concerning the reservations as to etymologies and derivations, must be kept in mind throughout these classifications and others which follow. In this particular case cf., for instance, Bergsträsser's opinion [in *Hebräische Grammatik* II, § 20 c, (c), with literature there cited], that although some of the verbs of the type under consideration do derive from ע״ע or עו״י roots, they are "mostly independent," and "they are to be derived directly from a bi-radical root, and not from ע״ע or עו״י roots."

The following augmented verbs are quadriradicals that could be traced back to triradicals with identical 2nd and 3rd radicals. The augmented verbs result from reduplication of the two different radicals, i.e., the 1st the 2nd, while the 3rd radical is elided.

גִּלְגֵּל *gilgēl, וְגִלְגַּלְתִּיךָ (wĕ)gilgal+ti+ḵā, "to roll, revolve" (1st.+sfx.), Jer. 51:25, הִתְגַּלְגָּלוּ hiṯ+galgālū, "to roll over, away" (3rd. pl., pausal form), Job 30:14, √ גלגל < √ גלל GLL, "to roll, roll away."

חִרְחֵר *ḥirḥēr, (לְ)חַרְחַר־(רִיב) (lĕ)ḥarḥar-(rīḇ), "to kindle (strife), make something glow" (infinit.), Pr. 26:21, √ חרחר ḤRḤR < √ חרר ḤRR, "to glow, burn, be hot."

כִּרְכֵּר *kirkēr, מְכַרְכֵּר mĕ+ḵarkēr, "to dance, whirl around" (particip.), II S 6:14.16, √ כרכר KRKR < √ כרר *KRR, "to move around, dance, be round"? [22]

לִהְלֵהַּ *lihlēah, "to behave like a madman," √ להלה LHLH < √ להה *LHH, "to languish, faint" (B.D.B.; K.B.).[23] See § 6.1.1.2, להלה.

מִהְמֵהַּ *mihmēah, לְהִתְמַהְמֵהַּ (lĕ)hiṯ+mahmēah, "to linger, delay, tarry" (infinit.), Ex. 12:39, √ מהמה MHMH < √ מהה *MHH, "to walk slowly." [24]

מִרְמֵר *mirmēr, וַיִּתְמַרְמַר (wĕ)yit+marmar, "to become furious, enraged; embitter oneself" (impf.), Dn. 8:7; 11:11, √ מרמר MRMR < √ מרר MRR, "to be bitter, show bitterness."

עַרְעֵר ʿarʿēr, "to demolish, lay bare" (infinit.), תִּתְעַרְעַר tiṯ+ʿarʿar, "to be laid utterly bare, be demolished," Jer. 51:58, √ ערער ᶜRᶜR < √ ערר ᶜRR, "to strip oneself." [25]

22 No clear evidence is attested for root כרר in BH. There is no triradical verb derived from it. As for the nouns כַּר, כִּרְכָּרָה, and especially כִּכָּר see the etymological dictionaries. For כִּכָּר see also Blau (supra, note 10), p. 111.

23 There is no evidence for a triradical root *LHH* in BH.

24 The etymology suggested is based on the Arabic مَهْمَهَ.

25 Root ᶜ*RR* is very close, semantically, to √ ᶜ*RY* "to be naked, bare, lay bare."

פִּצְפֵּץ *piṣpēṣ, וַיְפַצְפְּצֵנִי (wa)yĕpaṣpēṣ+ēnī, 'to smash, dash in pieces" (impf. 1st. + sfx.), Job 16:12, √ פצפץ PṢPṢ < √ פצץ PṢṢ, "to break, shatter." [26]

פִּרְפֵּר *pirpēr, וַיְפַרְפְּרֵנִי (wa)yĕparpĕr+ēnī, "to shake, bewilder, shatter" (impf. 1st. + sfx.), Job 16:12, √ פרפר PRPR < √ פרר PRR, "to shake to and fro, break."

קִלְקַל qilqal, "to whet (edges of metal)," Ec. 10:10, "shake (arrows for casting lots)," Ez. 21.26, "move quickly to and fro," הִתְקַלְקָלוּ hit+qalqālū, "to be shaken (back and forth)," Jer. 4:24, √ קלקל QLQL < √ קלל QLL, "to be slight, swift." [27]

קִרְקֵר *qirqēr, מְקַרְקַר mĕ+qarqar, "to tear down wall" (particip.), [28] Is. 22:5, √ קרקר QRQR < √ קרר QRR. [29]

I שִׁעֲשַׁע *šiᶜšaᶜ, הִשְׁתַּעַשְׁעוּ hištaᶜašᶜū, "to blind oneself ? to turn out to be stuck shut ?" (imper. 2nd. pl.), Is. 29:9, √ שעשע ŠᶜŠᶜ [30] < I √ שעע Šᶜᶜ, "to be blinded, smeared over (the eyes)." [31]

II שִׁעֲשַׁע šiᶜšaᶜ, "to take delight in, enjoy, amuse oneself," Is. 11.8, √ שעשע ŠᶜŠᶜ < II √ שעע Šᶜᶜ, "to sport, take delight in, caress, treat fondly, be dandled." [32]

שִׁקְשֵׁק *šiqšēq, יִשְׁתַּקְשְׁקוּן yištaqšĕqūn, "to rush (chariots) to

26 Cf. § 6.2 concerning the possibility of root פצפץ going back to פוץ, and cf. § 6.4 concerning the possibility of √ פצפץ < √ נפץ.

27 The derivation from √ קלל is not certain, since the semantic connection between √ קליל and √ קלקל is not that obvious. Cf. § 5.0, note 15.

28 The meaning of this verb is not clear. The usual explanation is the one offered.

29 The derivation from √ קלל is not obvious (B.D.B.; K.B.). It has been suggested (Even-Shoshan) that the example under consideration is to be derived from the noun קִיר qīr, "wall' (cf. § 6.2), with the antonymic sense of "to destroy a wall."

30 The meaning of the verb is not clear, and several textual emendations have been suggested in order to solve the difficulty.

31 The derivation mentioned is based on a Semitic root Šᶜᶜ "to smear, smooth" (see B.D.B.). Other derivations trace the example discussed back to root שעה, "to look about." That would put this example in §6.2 (ל״י).

32 There are suggestions to derive this example from a root שעה, or a root שעא. That would put this example in § 6.2 (ל״י).

and fro" (impf. pl.), Na. 2:5, √ שִׁקְשֵׁק ŠQŠQ < √ שקק ŠQQ, "to rush forth, charge." [33]

תִּעְתַּע *ti^{c}ta^{c}*, מְתַעְתֵּעַ *mĕ+ta^{c}tēa^{c}*, "to act up, make fun of" (particip.), Gn. 27:12, √ תעתע T^{c}T^{c} < √ תעע T^{cc}, "to mock" (B.D.B.; K.B.). — See §6.1.1.2, תעתע.

Other possible examples in this group are the forms וְטֵאטֵאתִיהָ and תְּצַפְצֵף, for those (see in B.D.B. ad locum) who derive these forms from roots טאא and צפף, respectively.

6.1.1.2 2. Augmented verbs < Triradicals of the ל״י -class.

The following three verbs are one 5-radical and two 4-radicals that could be traced back to triradicals with a "weak" third radical. [34]

This 3rd radical is *y*, a semi-vowel in Hebrew. The original triradical root consists, therefore, of only two sound consonants, the 1st and the 2nd. These two consonants were repeated in the formation of the augmented verbs that follow. The first example is probably a denominative :

יָפְיָפָה *yopyāpā(h)*, יָפְיָפִיתָ *yopyāpītā*, "to become very beautiful" (2nd masc. pl.), Ps. 45:3, √ יפיפה YPYPY < √ יפה YPY, יָפֶה *yāpe(h)*, "pretty, beautiful."[35]

לִהְלֵהַ *lihlēh*, מִתְלַהְלֵהַ *mit+lahlēah*, "to behave like a madman" (particip. masc. sg.), Pr. 26:18, √ להלה LHLH, is derived by some from √ להי LHY, "to faint, languish," following the Aramaic parallel לְהִי or the Syriac ܠܗܠܗ "to be confused" (B.D.B.), or from the Arabic لهى ,

33 Cf. §§ 6.1.2; 6.4.

34 There are suggestions to derive the latter two examples from ע״ע roots. Cf. the references at the end of the discussion of each of those examples.

35 The existence of the example under consideration in the text of the Bible has been put in question (there is no doubt about its existence in post-biblical Hebrew; see *Multiradicals*, § 1.1). Gesenius (§ 55 *e*) sees it as a "meaningless," "scribal error (dittography)." Instead he suggests an emendation: יָפִיתָ. The Septuagint read two words here, יָפִי יָפִיתָ, or יָפָה יָפִיתָ. Buhl (in BH^{3}) suggests the reading יָפוֹ יָפִיתָ or יָפִיתָ, following MSS. This last reading would fit Yehudah Ibn Ḥayyug's opinion ad locum. However, see Abraham Ibn Ezra's interpretation ad locum (in Miqraot Gedolot).
Cf. also Z. Chomsky, in his edition of Rabbi David Qimḥi's *Sepher Mikhlol*, p. 217, note # 354.

"to amuse" (Even-Shoshan; Ben-Yehudah).
See, however, §6.1.1.1., √ LHH.

תִּעְתַּע *ti^cta^c, מְתַעְתֵּעַ *mĕ+ta^ctēa^c*, "to cheat, deceive; to act up, make fun of" (particip. masc. sg.), Gn. 27:12, √ תעתע T^cT^c, is derived by some from √ תעה T^cY, "to err, mislead, confuse" (Even-Shoshan).
See, however, §6.1.1.1., √T^{cc}.

6.1.2. (b) Onomatopoetic פעפע Verbs.

The following two examples are considered original onomatopoetic formations, with no preceding triradical.

The first verb imitates the natural sound made by birds. The second verb imitates, as was claimed, the sounds of rushing chariots during war:

צִפְצֵף *ṣipṣēp*, תְּצַפְצֵף *tĕ+ṣapṣēp*, "to chirp, twitter, peep, whisper" (3rd. fem.), Is. 29:4, √ צפצף ṢPṢP (but cf., §6.1.1.1, end).

שִׁקְשֵׁק *šiqšēq*, "to rush to and fro" (see §§6.1.1.1; 6.4), is mentioned by some (Even-Shoshan; Ben-Yehudah, √ שקק) as an onomatopoetic formation.

6.1.3 (c) Original פעפע Verbs

Two BH verbs were considered original quadriradical formations: they show the same root structure (1.2.1.2.) as other verbs of the type under consideration; however, these two could not be readily designated "augmented," for the reasons mentioned before (§2.3), and the rationale for their inclusion may be found in §6.1.0, note 20. The examples are:

טֵאטֵא *ṭē(ʾ)ṭē(ʾ)*, וְטֵאטֵאתִיהָ *(wĕ)ṭē(ʾ)ṭē(ʾ)+tīhā*, "to sweep" (1st+sfx.), Is. 14:23, √ טאטא Ṭʾ Ṭʾ. The verb is peculiar in its structure. Its derivation and etymology are unknown although it is found in Aramaic.[36]

סֵאסֵא *sē(ʾ)sē(ʾ)*, בְּסַאסְּאָה *(bĕ)sa(ʾ)ssĕʾ+ah*, "driving away ?"

36 Cf. TB, Rosh 26 b, re. the sages that had to learn the meaning of טאטי from Rabbi's maid. There have been suggestions to derive √ טאטא from a √ טוא (which would place this example in § 6.2), or from √ טאא (which would assign the example discussed to § 6.1.1.1). See B.D.B. and literature there cited.

(infinit. + sfx.), Is. 27:8, √ סאסא S°S°. The meaning of this rare form is inferred from context.[37]

6.2. Type פלפל (1.2.1.2.)

Verbs of this type are 4-radicals that go back to triradicals, and the latter belong to the "Mediæ *w/y*" (ע״וי) Verb-class.

This means that such triradicals have a semi-vowel, *w* or *y*, as their middle radical, and just two sound radicals each, the 1st and the 3rd.

In the formation of the augmented verbs the two sound radicals are reduplicated, resulting in quadriradicals.

There are six verbs of this type, plus two other possible examples :

זִעְזַע *ziᶜzaᶜ*, מְזַעְזְעֶיךָ *mĕ+zaᶜzĕᶜ+e(y)k̲ā*, "to shake violently, make tremble ; oppress" (particip. pl. masc. + suffx.), Hab. 2:7, √ זעזע ZᶜZᶜ < √ זוע ZWᶜ, "to tremble, quake."

חִלְחֵל *ḥilḥēl*, וַתִּתְחַלְחַל *vattit̲+ḥalḥal*, "to writhe, be overtaken by terror" (impf. 3rd. fem. sg.), Est. 4:4, √ חלחל ḤLḤL < √ חיל or חול ḤYL/ḤWL, "to whirl, dance, writhe."

טִלְטֵל *ṭilṭēl*, מְטַלְטֶלְךָ *mĕ+ṭalṭel+k̲ā*, "to hurl violently, throw far away" (particip. masc. sg. + sffx.), Is. 22:17, √ טלטל ṬLṬL < √ טול ṬWL / טיל ṬYL, "to cast, throw."[38]

כִּלְכֵּל *kilkēl*, "provide, manage ; contain," II S 19:33, √ כלכל KLKL <√ כול KWL, "contain, hold in, comprehend."[39]

נִעְנַע *niᶜnaᶜ*, מְנַעַנְעִים *mĕ+naᶜanᶜīm*, "to rattle" (particip. masc. pl., a kind of a musical instrument), II S 6:5, √ נענע

37 Some authorities (see B.D.B. and literature there cited) doubt the existence of such a form in BH (the verb is well attested in post-biblical Hebrew). Others (Rashi, Ibn Ezra, Radaq) see it as a noun, or (Radaq) as a verbal form of a type פעפל, and the like (see Ben-Yehudah, p. 3888, note 3).

38 Cf. also §6.4, regarding the possibility of deriving this example from √ נטל.

39 Regarding the possibility of deriving the example under consideration from a root כלל (assigning this example to § 6.1.1.1.), see the etymological distionaries.

NᶜNᶜ < √ נוע NWᶜ, "to quiver, wave, tremble, shake, wave." [40]

שִׂגְשֵׂג *śigśēg, תְּשַׂגְשֵׂגִי tĕ+śagśēgī "to fence in ? fence about ? ; raise (plants), grow" (impf. fem. sg.), Is. 17:11, √ שגשג ŚGŚG < √ שוג ŚWG / סוג SWG, "to fence about ?" [41]

Other possible examples in this group are the forms וַיְפַצְפְּצֵנִי and מְקַרְקַר. Derivation from the roots פוץ and קיר, respectively, has been suggested. For them see §6.1.1., √ פצץ and √ קרר.

6.3. Type פעלל (1.2.3.3.)

This type includes three examples of verbs with identical third and fourth radicals, and such a root structure results from the repetition of the third radical of a previously triradical root.

All three examples have corresponding adjectives in BH, and these adjectives are attested more frequently than the verbs. One should consider, therefore, the possibility that the latter are denominatives of the former.

The examples are :

שַׁאֲנַן *šaʾănan, שַׁאֲנָנוּ šaʾănānū (3rd. pl.), "to be tranquil, quiet, at ease" (pausal form), Job 3:18, √ *ŠʾNN* < √ *Šʾ N ?* [42]

רַעֲנַן *raᶜănan, רַעֲנָנָה raᶜănānā (3rd. fem. sg.), "to be, or grow fresh, green" (pausal form), √ RᶜNN < √ RᶜN ? [43]

אֻמְלַל *ʾumlal,* "to be sad, grow feeble, languish," √ ʾMLL < √ ʾML, "to be weak, languish." [44]

40 The verb נענע inflected, is widely attested, in post-biblical Hebrew.

41 The meaning and the derivation of this example is not clear. The triradical roots שׂגא and שׂגה were suggested in this connection, as well as שׂוג or סוג.

42 Within Hebrew there is no evidence for a triradical root (such as *Šʾ N*, for instance) which could be considered as the root of the form שאנן, except for the place name (בֵּית־)שְׁאָן *(bēṯ-)šĕʾān* "(a place of) quiet." The suggested root *ŠʾN* is inferred through comparative studies (cf. the etymological BH dictionaries).
Note also the form שַׁלְאֲנָן *šalʾănān* (Job 21:23), a quinquiliteral with the same meaning as שַׁאֲנָן. The *l*-element seems to be an infix here.

43 Here too (cf. previous note), there is no evidence in BH for a triradical root *RᶜN*. Cf. the BH Lexicons.

44 The triradical אמל is attested just once, Ez. 16:30.

6.4. Type עלעל (1.2.1.2.).

Post-Biblical Hebrew has some augmented verbs that go back to triradicals of the "Primae *n*" (פ״נ) verb-class.

The former verbs result from reduplication of the 2nd and 3rd radicals of the latter verbs, while the latter's 1st radical, the נ *n*, is elided (e.g. טִפְטֵף *tiptēp*, "to drip, dribble," √ טפטף ṬPṬP < נָטַף *nāṭap*, "to drip, drop," √ נטף NṬP ; or קִשְׁקֵשׁ *qišqēš*, "to ring, rattle, clap," √ קשקש QŠQŠ < נָקַשׁ *nāqaš*, "to knock, strike," √ נקש NQŠ).[45]

Four BH augmented verbs are to be mentioned in this context, since there are suggestions to derive these verbs from, or to relate them to "Primæ *n*" (פ״נ) triradicals on the pattern described above.

These verbs are :

טִלְטֵל **tilṭēl*, "to hurl violently, throw far away" (cf. §6.2., ע״ו), √ טלטל, which was related with √ נטל, "to bear, lift (and lay)."[46]

פִּצְפֵּץ **pisṗēṣ*, "to smash" (cf. §6.1.1.1., פצפץ, √ ע״ע), which is related to √ נפץ, "to shatter." [47]

קִרְקֵר **qirqēr*, "to tear down a wall" (cf. §6.1.1.1. ע״ע); √ קרקר, may be mentioned here too, perhaps, on account of its possible connection with √ נקר, "to bore, pick, dig."

שִׁקְשֵׁק **šiqšēq*, "to rush to and fro, to charge" (cf. §6.1.2., ע״ע); √ שקשק, is mentioned in connection with √ נקש, "to knock, strike." [48]

6.5. Type פעעל (1.2.2.3.).

This type is rather rare in Semitic languages. [49] Actually it is found only in Akkadian, and in recent Ethiopic dialects, such

45 See further *The Quadriradical Verb*, pp. 50–51.

46 See Even-Shoshan ad loc.; or B.D.B. √ טול, where the Ethiopic አንሞለለ and ኣንሞለዐ are mentioned in this connection, both with an *n*-element.

47 Cf. Even-Shoshan; Ben-Yehudah, p. 5072 note 5.

48 See Even-Shoshan *ad locum*, and cf. § 6.4, שִׁקְשֵׁק.

49 But see Halevy's opinion, quoted by Brockelmann, § 257 B *a*, note 1.

as Hararī, Amharic, Tigrē and Tigrina, probably under Hamitic influence.[50]

There is little evidence of this type in BH; just one example:

חִצֵּצֵר *hiṣēṣēr, מְחַצְצְרִים mĕ+ḥaṣṣĕrīm, "to blow (sound) the trumpet, to trumpet" (active participle), √ ḤṢṢR.[51] The form is a denominative of חֲצֹצְרָה ḥăṣōṣĕrā, "a trumpet."[52]

6.6. Type פעלע (1.2.3.2.).

The evidence for this type is even more scanty than for the preceding one, §6.5. The type does not occur in other Semitic languages, and in BH it consists of one *hapax legomenon*, a participle form (the rationale for its inclusion may be found in §6.1.0.):[53]

מְחֻסְפָּס mĕ+ḥuspās, "scaled off; scale-like," √ ḤSPS < √ ḤSP.[54]

50 See Brockelmann, §§ 158, 257 F *b*; Moscati, § 12.10.

51 The etymology of this noun is not clear. However, most scholars suggest √ ḤṢR (see the biblical dictionaries and Brockelmann, § 91 d). The vocalization offered is based on the consonantal text (Keṯīḇ) of the biblical source (the Book of Chronicles). The oral tradition (Qĕrē) reads מְחַצְרִים *mĕ+ḥaṣrīm* (in II Chr. 5:13), or מְחַצְּרִים *mĕ+ḥaṣ̂ṣĕrīm* (in II Chr. 5:12), or מַחְצְרִים *maḥṣĕrīm* (in I Chr. 15:24). It is interesting to note in this context, that the Modern Hebrew pronunciation follows the Kĕtīb. Cf. *Biblia Hebraica*³ to the verses mentioned. It has been suggested (by Bergsträsser, in his *Grammar*, § 20 *b*, p. 494), that the root of the verb under consideration could have been a quinquiradical חצרצר ḤṢRṢR. For other examples of the same structure see above, type פעלעל (§ 6.7).

52 Modern Hebrew has two more verbs belonging to this type: חִכְּכֵךְ *ḥikkēḵ*, "to expectorate, spit," and חִטְּטֵר *ḥiṭṭēr*, "be hunched, be with a hump." (For details see *The Quadriradical Verb*, p. 69/70.) The slight difference between triradical verbs in the Piᶜel stem and the type under consideration, פעעל, is the following: in the former pattern the middle radical is geminated, i.e., the duration of articulating this consonant is greater, whereas in the latter formation the same consonant is articulated twice, i.e., a release and a re-closure is performed between the two identical consonants.

53 Modern Hebrew has two more examples of this type: חִצְרֵץ and זִגְלֵג. For details see *The Quadriradicals*, p. 71.

54 *ḤSP* is the root suggested by BH etymological dictionaries. Cf. also Brockelmann, § 97 c (p. 260), and Bergsträsser, I, § 20 eᵃ, who derive מחספס from a 5-radical חספסף **ḤSPSP*. If this is a case of haplology, the process that

6.7. Type פעלעל (1.2.3.2.3.)

The morphological aspect of this type is discussed in §4.1. The lexical gains of such formations may be found in §§3.1; 6.0.1.[55] The two quinquiradicals belonging to this type are:

חֳמַרְמָרוּ *ḥŏmarmārū,* "to become red because of heat; to ferment, boil or foam up" (pl., pausal), Job 16:16; Lam. 1:20; 2:11, √ חמרמר ḤMRMR < √ חמר ḤMR, "to be red; to ferment, boil."[56]

סְחַרְחַר *sĕḥarḥar,* "to palpitate, move quickly, excitedly," Ps. 38:11, √ סחרחר SḤRḤR < √ סחר SḤR, "to go around, about, to and fro." [57]

There are some conjectural verbs that could be mentioned here, since their derivation and their way of augmentation (if proved to have been extant) would assign them to the type under consideration.

These verbs include forms such as the following:

אֲהַבְהֲבוּ **ʾăhabhăbū,* "to flirt" (pl.), following Hos. 4:18 אָהֲבוּ הֵבוּ (when the transmitted two words are combined into one), [58] √ אהבהב ʾHBHB < אָהַב ʾāhab, "to love."

פְּקַחְקוֹחַ **pĕqaḥqōaḥ,* "to open widely, completely," following Is. 61:1 פְּקַח־קוֹחַ (when combining the two words into the somewhat attested one word), [59] √ פקחקח PQḤQḤ < פָּקַח *pāqaḥ,* "to open (the eyes)."

brought the form about is close to the one attested in the Jewish Aramaic name of the Calvary, as transcribed by the Greek *Γολγοθα golgotha,* which stands for *go/ulgōltā,* Hebrew גֻּלְגֹּלֶת *gulgōlet,* "skull."

55 For an extensive discussion of this type, morphologically and semantically, see *Multiradicals,* § 1.

56 For further details, and for the question whether the three occurrences of this verb in BH derive from one root *ḤMR* or from two, see *Multiradicals,* § 1.1, and cf. B.D.B.

57 For details and for variant reading חמר מרו (in two words) in Lamentations, see *ibid.*

58 See Gesenius, § 55 *g*; K.B., p. 16; König, I, p. 397. Cf. also Ben-Yehudah, p. 83, note 1.

59 The reading in one word, פקחקוח, has support in many MSS, in Versions (cf. Biblia Hebraica[3]), including the version of the Dead Sea Isaiah A Scroll

יִרְחַקְחֹק *yirḥaqḥōq*, "to become distant" (impf.), following Micha 7:11 יִרְחַק־חֹק (when the two words are combined into one),[60] √ רחקחק RḤQḤQ < רָחַק *rāḥaq*, "to be, or become far, distant."[61]

7. II. Augmented Verbs Resulting from Triradicals Expanded Externally.

The general way of external expansion is described above in §2.2.

Formations resulting from this procedure of augmentation through affixes are common in Semitics.[62]

Ten BH verbs were found to belong to this category, comprising two divisions: (1) augmentation through prefixes; and (2) augmentation through infixes.

7.1 Augmented Verbs < Triradicals + prefixes.

Two types constitute this division, type תפעל and type אפעל.

7.1.1. Type תפעל (*t*.2.3.4.).

Three BH verb formations show ת *t* as their first radical, and this ת seems to be an augmenting element prefixed to an original triradical.

(*I Q Isa α*). See also Gesenius-Buhl (17th ed.), p. 656.

60 Such a reading is claimed by J. Klausner, in *Halašon HaᶜIvrit Lašon Ḥayya* (Jerusalem, 1949), p. 67; also by N.H. Tur-Sinai, in Ben-Yehudah's *Thesaurus*, p. 6549, note 2.

61 Medieval Hebrew has five more verbs of the pattern discussed, and Modern Hebrew adds eight more examples, bringing the total to fifteen פעלעל verbs. This last figure does not include the verbs derived from roots פקחקח* and רחקחק*, but it does count אהבהב, which is used in Modern Hebrew.

62 For comparison with parallel phenomena in the other Semitic languages see in general Brockelmann, § 90; Moscati, § 16.27 d.; for specifics see (for Arabic) S. Fraenkel, *Beiträge zur Erklärung der mehrlautigen Bildungen im Arabischen* (Leiden: E. J. Brill, 1878), pp. 16–21 et al.; (for Akkadian) A. Heidel, *The System of the Quadriliteral Verb in Akkadian* (Chicago: The University of Chicago Press, 1940), pp. 134–135 et al.; (for Ethiopic) W. Leslau, "Ethiopic Denominatives with Nominal Morphemes," *Le Museon* LXXV, 1–2 (1962); (for spoken Arabic, Ethiopic and New-Aramaic dialects) M. Kamil, *Beiträge zur Entstehung der vierradikaligen Verben in den gesprochenen semitischen Sprachen* (Cairo, 1963), pp. 9–26, 31–33. For further development within Hebrew, see *The Quadriradical Verb*, pp. 116–135, 170–172, 176–177.

The first two examples are probably denominatives. The third one is perhaps a loan word:

תִּרְגֵּל *tirgēl, תִּרְגַּלְתִּי tirgaltī, "to teach to walk, to lead," Hos. 11:3, as if from a root תרגל TRGL. The form is usually considered a denominative of רֶגֶל regel, "foot."[63]

תִּחְרָה *tiḥărā(h), תְּתַחֲרֶה tě+taḥăre(h), "to contend, compete with," Jer. 12:5, as if from √ תחרה TḤRY, but usually derived from √ חרה ḤRY.[64]

The following example is attested in the participial form only. The rationale for its inclusion may be found elsewhere.[65]

תִּרְגֵּם *tirgēm, מְתֻרְגָּם mě+turgām, "to interpret, translate," Ezr. 4:7, as if from a root תרגם TRGM.[66] The form מְתֻרְגָּם is probably a loan word from Akkadian, Aramaic being the intermediary (see B.D.B.; Ben-Yehudah). Yet, whether a borrowing or an indigenous word,[67] the triradical root underlying it is probably רגם RGM, attested also in Ugaritic in the meaning of "to say, call, speak."

7.1.2. Type אפעל (ᵓ.2.3.4.)

There is only one example of this type in BH:[68]

63 The existence of this example is challenged by many scholars, since the source of the *t*-element in this form is not clear. See, for instance, Gesenius, § 55 *h*, in reference to Barth's *Nominalbildung*, p. 279; or Tur-Sinai, the editor of E. Ben-Yehuda's *Thesaurus*, p. 7897, who considers the form an Assyrian loanword; or B.D.B.'s *Lexicon*, p. 920; or Perles (quoted in Gesenius-Buhl, p. 744).

64 This form too (cf. previous note) is contested by some authorities, who consider it to be a secondary verb from the root חרה *ḤRY*, as an abbreviation for הִתְחָרָה *hit+ḥārā(h)*, "to compete" (so Tur-Sinai, in Ben Yehuda's *Thesaurus*, p. 7726). See also Gesenius, § 55 *h*. Yet, Mishnaic Hebrew has a noun תַּחֲרוּת *taḥărūṯ*, "competition, match," with cognate forms in Syriac and Aramaic. It was suggested, therefore (cf. the biblical dictionaries), that the verb under consideration is a denominative of such a noun in Hebrew.

65 See *The Quadriradical Verb*, p. 10, and literature there cited, or *Multiradicals*, p. 122.

66 Cf. the English "dragoman" (= "a professional interpreter") with the Mishnaic Hebrew מְתֻרְגְּמָן *měṯurgěmān*, "an interpreter."

67 See Svi Rin, *Acts of the Gods* (Jerusalem: ᵓInbal, 1968), p. 42.

68 There are many more verbs of this pattern in later stages of Hebrew. See *The Quadriradicals*, § 11.1.1.

הֶאֱזְנִיחַ *heʾĕzniaḥ, וְהֶאֱזְנִיחוּ (wĕ)heʾezniḥū,. "to stink, emit stench" [69] (pl., Hiphᶜil stem [70]), Is. 19:6, √ אזנח ʾZNḤ < √ זנח ZNḤ, same. [71]

7.2. Augmented Verbs < Triradicals + Infixes.

This division comprises two types: type פרעל and type פעוה.

7.2.1. Type פרעל (1.*r*.3.4.).

Two BH verb formations show ר (*r*) as their second radical, and this *r*-element is considered to be an infix, introduced between the 1st and the 2nd root-elements of an original triradical, thus augmenting the latter.

The procedure of inserting a sonnorant consonant, usually *l, n, r,* into an originally triradical root (mostly in the position mentioned) is common in Semitic languages. [72] In many instances these inserted sonnorants simplify forms through dissimilation, [73] or the augmented form (through the *r*) indicates the intensive, or the frequentative, besides serving the general function mentioned above. The examples are the following:

כִּרְסֵם *kirsēm, יְכַרְסְמֶנָּה yĕ+ḵarsĕm+ennā, "to gnaw, chew" (Ps. 80:14), √KRSM < √ KSM, "to shear, clip, cut."

The second example is attested in the participle form only. The rationale for its inclusion may be found elsewhere. [74]

69 Except for the place-name זָנוֹחַ zānōaḥ, this verb is the only occurrence of the root in BH. The meaning is therefore inferred from the context, supported by the Arabic زَنِخَ "to become rancid" (Hava, p. 297).

70 This example is one of the two BH augmented verbs formed in the Hiphᶜil stem rather than in the Piᶜel, the common stem for augmented verbs in Hebrew. Cf. § 4.1, note 13.

71 The existence of this form in the text is disputed: some consider it a "mere error of the scribe, who had the Aramaic form" [i.e., the 'Afᶜel stem] "in mind and corrected it by prefixing ה." (so Gesenius, § 53 *p*; Gesenius-Buhl *Lexicon*, p. 202, and others cited by B.D.B. √ זנח). הזניחו is also the version of I Q Isa א. Others see the verb as a denominative of אֶזְנָח, "stinking, or stench" (Gesenius, §53 *g*, and others cited by B.D.B.).

72 See above, note 62.

73 See Brockelman, § 91 e, and cf. שַׁרְבִיט *šarḇīṭ*, "rod, sceptre" versus שֵׁבֶט *šēḇeṭ*, "rod, staff;" or the Mishnaic Hebrew דַּרְדָּק *dardāq*, "a child" versus Aramaic דְּקָקָה *dĕqāqā*, "a tender child," Ethiopic ደቂቅ *däqīq*, "(collective) children."

74 See above. note 65.

כִּרְבֵּל *kirbēl, מְכֻרְבָּל mĕ+ḵurbāl, "to wrap up, cloak, clothe" (I Chr. 15:27), √KRBL < √ KBL, "bind." [75]

There is a conjectured possibility of a third example in this type, namely the form רֻטֲפַשׁ ruṭăp̄aš (Job 33:25), interpreted as "to grow fresh (flesh);" it was suggested (see the interpretations to the passage) that the form is a transposed טֻרְפַּשׁ *ṭurpaš, √ ṬRPŠ, which is an augmentation on the pattern discussed of √ ṬPŠ, "be gross."

Still another possibility of a verb belonging to this group is פַּרְשֵׁז paršēz, "to spread" (Job 26:9). But see §8.2. [76]

7.2.2. Type פעוה (1.2.*w*.[h].)

Two BH verb formations have a ו *w* as their third element. They belong to the (ל״ה) ל״י ("tertiæ *y*") verb class. [77] This *w*-element is to be considered a secondary development: [78]

טִחֲוָה *ṭiḥăwā(h), "to range, shoot," מְטַחֲוֵי־ mĕṭaḥăwē (pl. constr.), "shooters, archers," √ ṬḤWY. [79]

שִׁחֲוָה *šiḥăwā(h), הִשְׁתַּחֲוָה hišṭaḥăwā(h), "to prostrate oneself; to bow, kowtow," √ ŠḤWY. [80]

75 For the possibility that the form originates in a loan word see B.D.B., p. 499–500.

76 Additional examples developed during later stages of the language. cf. חרטם < חֹטֶם, גרדם < גדם, סרעף < סעף, חרבץ < חבץ, טרפס < טפס, ערגל < עגל, פרנק < פנק, קרטם < קטם, and others. For details see *The Quadriradical Verb*, pp. 170–172.

77 Modern Hebrew has two more examples of this type: אִדְוָה ʾiḏwā(h), "to undulate," √ ʾDWY, an Aramaic loan-word; and הִתְאַחֲוָה hiṯ+ʾaḥwā(h), "to be brotherly with, become as brother," √ ʾḤWY.

78 In all three original Hebrew words, הִשְׁתַּחֲוָה, מְטַחֲוֵי־, הִתְאַחֲוָה, the *w*-element follows a *ḥ* (< Proto-Semitic *ḫ* in at least two of them; cf. Arabic أَخ with Hebrew אָח and Arabic سَاخَ with Hebrew שָׁחָה). It is suggested therefore to apply here Tur-Sinai's observation (in Ben-Yehuda's *Thesaurus*, p. 7012, note 2), that in certain roots, such as those under consideration, the *ḥ* (< *ḫ*) was pronounced with an added *w*, namely [ḫ͡w], similar to the labialized *ḫʷ* of Ethiopic. Cf. also Gesenius, § 75 *kk*.

79 The meaning of מְטַחֲוֶה is not clear. The word is attested in BH only once, in Genesis 21:16, and it is considered to be a participle of a root *ṬḤY* in the Picēl stem, standing for מְטַחֶה *mĕṭaḥe(h)*.

80 The root suggested by most sources is SḤY, or SḤḤ. Ch. Rabin, in "The

8. III. Special Cases.

8.0. This category consists of quadriradical verbs that could not be classified in the preceding sections of this study.

Such verbs (1) either came through procedures other than augmentation of triradicals, or (2) they are original 4-radicals, or else (3) their proper type could not be determined.

The rationale of the inclusion of such examples may be found in §6.1.0., note 20.

8.1. Blends.

One example could be classified as a blend:[81]

רֻטֲפַשׁ *ruṭăpaš*, "to grow fresh and fat" (Puᶜal), Job 33:25, √ רטפש RṬPŠ, is strange in form, and its meaning is not clear.

Some authorities suggested that the form suffered a transposition of the *r*-element. Rectifying it they get a form טרפש, of type פרעל (see §7.2.1.), as if from root טפש (cf. the etymological dictionaries).

A relatively recent suggestion (Even-Shoshan, 1970) prefers to see the form as a blend. In this case the verb discussed is the result of √ רטב RṬB "moist, fresh," blended with √ טפש ṬPŠ "gross, fat," which comes out רט(ב+ט)פש *RṬ(B+Ṭ)PŠ* < רטפש RṬPŠ.[82]

8.2. Original Verbs.

There are two examples in this group, both with four differing consonants:

Nature and Origin of the Šafᶜel in Hebrew and Aramaic," *Eretz-Yisrael*, Vol. 9 (Jerusalem: I.E.S., 1969), p. 149, prefers to see here a root ḤWY, that means "(to cause oneself) to twist."

81 A "blend," or "portmanteau word" is a word formed by arbitrary combination of two words with suppression of a part of each. The resulting form suggests something of the meaning of each blended word.

82 Examples from English to illustrate the process here discussed are such words as "brunch," a blend of "br(eakfast" and l)unch;" or "smog," the blend of "sm(oke" and "f)og." Modern Hebrew has many such blends, and some of them gave rise to verbs of the type under consideration. (One of the most recent Hebrew "portmanteau words" is עֲשָׁפֵל *ᶜăšāpel* "smog," a blend of

פַּרְשֵׁז *paršēz*, or פַּרְשֵׂז *parśēz* "to spread," Job 26:9, √ פרשז PRŚZ, is explained at times as a special case of augmentation through a suffix: the triradical פָּרַשׂ *pāraś* + ז *z*. However, such a suffix is not attested elsewhere. The meaning is obscure. Context suggests the meaning offered. [83]

הִשְׂמְאִיל **hiśmĕʾīl*, "to move or turn left," √ שׂמאל ŚMʾL ; — See §4.1, note 13. [84]

8.3. Undetermined Verb.

In this last paragraph I shall mention a verb that seems to belong to type פעפע, §6.1. However, its etymology and derivation are obscure:

סִכְסֵךְ **siksēk*, יְסַכְסֵךְ *yĕ+saksēk*, "to prick, spur on" (impf.), Is. 19:2 ; 9:10, √ סכסך SKSK, is explained by context as "to instigate, cause quarrel, war." There are several suggestions as to the derivation: √ שׂכך ŚKK ? √ סכך SKK ?

עָשָׁן *ʿāšān*, "smoke" and עֲרָפֶל *ʿărāpel*, "fog," an accurate borrowed translation from English. Other suggested translations for the English "smog" are עַרְפִּיחַ [עֲרָפֶל + פִּיחַ *pīaḥ* "soot"], and עַשְׂרָפֶל [עָשָׁן + עֲרָפֶל].)

83 William L. Holladay, in his edition of Koehler-Baumgartner's *Lexicon*, called *A Concise Hebrew and Aramaic Lexicon of the Old Testament* (Leiden: E.J. Brill, 1971), p. 299, regards the word as a "mixed form," and similar to others, suggests the reading פָּרַשׂ.

84 Note the Hiphʿil stem formation of this verb, and cf. אזנח, § 7.1.2.

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of

Biblical Hebrew Augmented Verb Roots

(* = the root is not actually attested in the text)

Root		*Biblical Reference(s)* (! = 'all passages cited')	*Paragraph(s)* where mentioned or dealt with
אהבהב	*ʾHBHB	(Hos. 4:12 !)	6.7.
אזנח	ʾZNḤ	Is. 19:6 !	7.1.2.
אמלל	ʾMLL	Job 1:10	6.3.
גלגל	GLGL	Jer. 51:25	6.1.1.1.
זעזע	ZʿZʿ	Hab. 2:7 !	3.3.; 6.2.
חלחל	ḤLḤL	Est. 4:4 !	3.1.; 6.2.
חמרמר	ḤMRMR	Lam. 1:20; 2:11; Job 16:16 !	6.7.
חספס	ḤSPS	Ex. 16:14 !	6.6.
חצצר	ḤṢṢR	II Ch. 5:13	6.5.
חרחר	ḤRḤR	Pr. 26:21 !	6.1.1.1.
טאטא	Ṭʾ Ṭʾ	Is. 14:23 !	6.1.1.1.; 6.1.3.
טחוה	ṬḤWY	Gn. 21:16 !	7.2.2.
טלטל	ṬLṬL	Is. 22:17 !	6.2.; 6.4.
יפיפה	YPYPY	Ps. 45:3 !	6.0.1.; 6.1.1.2.
כלכל	KLKL	II Sam. 19:33	3.3.; 6.2.
כרבל	KRBL	I Ch. 15:27 !	7.2.1.
כרכר	KRKR	II Sam. 6:14, 16 !	6.1.1.1.
כרסם	KRSM	Ps. 80:14 !	7.2.1.
להלהּ	LHLH	Pr. 26:18 !	6.1.1.1.: 6.1.1.2.
מהמהּ	MHMH	Ex. 12:39	6.1.1.1.
מרמר	MRMR	Dn. 11:11 ; 8:7 !	6.1.1.1.
נענע	NʿNʿ	II Sam. 6:5 !	6.2.
סאסא	Sʾ Sʾ	Is. 27:8 !	6.1.3.
סחרחר	SḤRḤR	Ps. 38:11 !	6.7.
סכסך	SKSK	Is. 19:2; 9:10 !	3.3.; 8.3.
ערער	ʿRʿR	Jer. 51:58 !	6.1.1.1.
פצפץ	PṢPṢ	Job 16:12 !	6.1.1.1.; 6.2.; 6.4.
פקחקח	*PQḤQḤ	(Is. 61:1 !)	6.7.
פרפר	PRPR	Is. 24:19 !	6.1.1.1.
פרשז	PRŠZ	Job 26:9 !	7.2.1.; 8.2.
צפצף	ṢPṢP	Is. 29:4 !	6.1.1.1.; 6.1.2.
קלקל	QLQL	Ez. 21:26; Ec. 10:10	3.3.; 6.1.1.1.
קרקר	QRQR	Is. 22:5 !	6.1.1.1.; 6.2.; 6.4.
רחקחק	*RḤQḤQ	(Micah 7:11 !)	6.7.
רטפש	RṬPŠ	Job 33:25 !	7.2.1.; 8.1.
רענן	RʿNN	Job 15:32 !	6.3.
שׁאנן	Šʾ NN	Jer. 48:11	6.3.
שׂגשׂג	ŚGŚG	Is. 17:11 !	6.2.
שׂחוה	ŚḤWY	Ez. 46:2	7.2.2.
שׂמאל	ŚMʾL	Gn. 13:9	8.2.
שׁעשׁע	I ŠʿŠʿ	Is. 29:9	6.1.1.1.
שׁעשׁע	II ŠʿŠʿ	Is. 11:8	6.1.1.1.
שׁקשׁק	ŠQŠQ	Na. 2:5 !	6.1.1.1.; 6.1.2.; 6.4.
תחרה	THRY	Jer. 12:5	7.1.1.
תעתע	TʿTʿ	Gn. 27:12 ; II Ch. 36:16	6.1.1.1.; 6.1.1.2.
תרגל	TRGL	Hos. 11:3 !	7.1.1.
תרגם	TRGM	Ezr. 4:7 !	7.1.1.

THE SNAITH BIBLE: A CRITICAL EXAMINATION OF THE HEBREW BIBLE PUBLISHED IN 1958 BY THE BRITISH AND FOREIGN BIBLE SOCIETY *

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IN 1958, the British and Foreign Bible Society in London published a Masoretic text of the Hebrew Bible, edited by Norman Henry Snaith, and since its publication it has gained widespread publicity[1] as an authoritative representation of the Ben Asher tradition. Both in a prepublication announcement by Snaith and in the preface of his Bible, the following noteworthy features of this text are outlined: (1) "The text is new. It is not a revision of the Letteris text."[2] (2) The text is "not an eclectic text, but is based primarily on [the first (original) hand of British Museum Manuscript] Or 2626–8."[3] (3) "It will be found that the text of this edition is close to that of Professor Kahle [i.e., *Biblia Hebraica*],

* See Norman H. Snaith, "The Ben Asher Text," *Textus* 2 (1962) 8–13.

The following conventions are employed:

BH (Biblia Hebraica) = תורה נביאים כתובים *Biblia Hebraica*³, editit Rud. Kittel, textum Masoreticum curavit P. Kahle (Stuttgart 1937).

LT (Letteris Text) = תורה נביאים כתובים, edited by Meir Halevi Letteris (London 1866).

ST (Snaith Text) = תורה נביאים כתובים, edited by Norman Henry Snaith (London 1958).

The Tetragrammaton is represented by ה׳.

A numerical subscript indicates the *particular* occurrence of a word appearing more than once in a verse (e.g., $מן_3$ refers to the third occurrence of מן in the verse).

1 Snaith, "The Ben Asher Text."

2 Norman H. Snaith, "New Edition of the Hebrew Bible," *VT* 7 (1957) 207.

3 ST, preface (not found in all editions).

though it is not based on it. The editor has worked on a different basis,"[4] and the great similarity of these two texts " ... may be taken ... as good evidence that [Kahle's] text (and [Snaith's]) are sound representatives of the true Ben Asher tradition."[5] (4) In Snaith's own words: "I have taken extreme care over the accents ... and I trust that I have placed them all in exactly the correct position ..., to compositor and reader, very great credit and very great thanks are due."[6]

Snaith's claims notwithstanding, examination reveals: (1) Snaith's text (ST) *is* a revision of the antiquated Letteris Bible (LT) of 1866, and preserves intact many of the old misprints and omissions. (2) The manuscript which Snaith claims to have reproduced in his text was, to a significant degree, ignored in matters of Masoretic tradition, thereby preserving by default readings which appear in LT. (3) The coincidence of ST and *Biblia Hebraica* (BH) is at times contrived: Snaith occasionally disregarded Or. 2626–8 readings in favor of readings which match BH. (4) Accents were misplaced countless times, most often in critical situations. The typesetting was inaccurate, and the proofreading not only shows carelessness, but also demonstrates an unfamiliarity with the basic aspects of the Masoretic text.

The evidence which we present here is not by any means intended to be an exhaustive compilation of the errors in ST. This material represents, rather, a random collection of errors which we happened to detect during superficial scannings of the text,[7] and which were then verified by checking them against a microfilm reproduction[8] of Or. 2626–8.[9] That the majority of errors we list are found primarily in

4 *Ibid.*

5 Snaith, "New Edition" (above, n. 2), p. 207.

6 *Ibid.*, p. 208.

7 The errors we list appear in the 1960, 1966 and 1969 printings of ST. Although a British and Foreign Bible Society representative claimed in 1964 "that substantial corrections have already been made in a recent reprint of the Snaith text, and another reprint already under way will contain still further corrections" (as reported by B. J. Roberts, "The Hebrew Bible since 1937," *JTS* 15 [1964] 257, n. 1), the only changes we have detected are the correction of three omissions of accents, Exod. 23:27 (את־אימתי), Eccl. 9:16 (וחכמת), and Esth. 9:9 (אריסי), after 1966, and the introduction of a new omission in 1966, in Amos 8:13 (בַּיּ֫וֹם became בַּיּוֹם).

8 Jewish Theological Seminary of America Library, New York.

9 We also checked the errors against microfilm reproductions (see n. 8

certain books of the Bible is only a result of the concentration of our activity in those books and is not intended to imply that other portions of ST are necessarily more accurate. Errors which we deemed particularly noteworthy or of special interest are discussed below; these and many additional errors are listed in the Appendix.

§*1* *Reliance upon LT*

1. One's curiosity regarding ST is first aroused when one encounters obvious omissions of accents in this book. It is a basic principle of the Tiberian accentuation system that every word in the Hebrew text of the Bible is accompanied by an accent.[10] Thus, any word appearing in ST without an accent is a clear error. For, even if Snaith's primary manuscript exhibited such a faulty reading (which in fact it does not), Snaith's own methodology would have compelled him to supply the missing accent.[11] Therefore, one must conclude that these omissions were not the intention of the editor, but instead must be attributed either to the typesetter or to the copy from which he set his type.

The existence of careless oversights by the typesetter is easily documented. Gen. 8:21 (כִּי), 12:7 (וַיֹּאמֶר), Exod. 26:1 (יְרִיעֹת), Lev. 8:13 (מִגְבָּעוֹת), 14:9 (הַשְּׁבִיעִי), Num. 16:17 (אִישׁ), 35:1 (יְרֵחוֹ), Deut. 22:16 (הַזֶּה), Amos 6:1 (בְּצִיּוֹן), and Jon. 4:4 (חָרָה) represent a sampling of such errors.

In a large number of instances, on the other hand, the fault could not lie with the typesetter. For numerous omissions are precise duplications of errors which had already been made, over one hundred years ago, in LT. One is forced to conclude that the copy submitted to the type-

above) of Snaith's second manuscript, British Museum Manuscript Or. 2375 (this manuscript contains only the Writings) and Snaith's third manuscript, the Shem-Ṭob Bible (no. 82 in the Sassoon catalogue). Snaith had limited access to the latter manuscript and used it only on rare occasions (Snaith, "The Ben Asher Text," p. 12). Although we had free access to its reproduction, we were not always able to ascertain its readings.

10 William Wickes, *A Treatise on the Accentuation of the Twenty-one So-called Prose Books of the Old Testament* (London 1887, reprinted, New York 1970), p. 12, and Miles B. Cohen, *The System of Accentuation in the Hebrew Bible* (Minneapolis: Milco Press, 1969), pp. 4, 59. Words connected by a מַקֵּף (–) are considered a single word (Wickes, p. 12, and Cohen, p. 14, n. 7, and p. 88).

11 A correct reading from an alternate manuscript was to replace any obvious error in Or. 2626–8 (ST, preface).

setter was, in fact, LT. In no other manner could this exceptional correlation of omissions in ST and LT be accounted for. Such examples include Lev. 1:10 (מִ֫ן₂), 22:5 (א֫וֹ), Josh. 8:11 (מִצְּפ֫וֹן), Ezek. 4:8 (וְהִנֵּה), Prov. 10:5 (מֵבִישׁ׃), Job 42:16 (שָׁנָ֥ה), Cant. 2:1 (הַשָּׁר֫וֹן), 2:6 (לְרֹאשִׁ֫י), Esth. 8:13 (הַזֶּ֥ה), and 2 Chron. 2:16 (מֵאָ֥ה).

2. In addition to omissions, there are other errors which are apparent even to the casual reader of the Bible. It is well known that the accent which must appear on the last word of every verse is the small sublinear vertical line called סִלּֽוּק.[12] Nonetheless, in more than one instance ST exhibits verses ending in such unexpected accents as מֵ֥נַח (יְרֵכִ֥י׃, in Gen. 24:2), מֵ֣רְכָא (לְמִנְחָ֣ה׃, in Num. 7:73), and טִפְּחָ֖א (בָּ֖הּ׃, in Num. 32:40). One might overlook these as typographical errors until one discovers the fact that they appear in LT and have been incorporated in ST without change.

Slightly less obvious but nonetheless apparent is the error found in Num. 7:41. Except for the mere substitution of the names of the various tribal chieftains, the text of this verse appears word for word eleven other times in the same chapter.[13] In each of those eleven instances the word אֵ֤ילִם appears with a מַהְפָּ֤ךְ, the proper conjunctive accent to precede the accent פַּשְׁטָ֙א when the stressed syllables of the word with פשטא and of the preceding word are non-adjacent.[14] In this one instance, however, ST displays the accent מֻנַּ֣ח,[15] never acceptable as a conjunctive accent before פשטא.[16] But even a reader unfamiliar with the laws of accentuation would be intuitively aware of the error of this anomaly since there are eleven virtually identical verses which oppose this reading. Again, this is not a typographical error, but yet another example of an error transplanted from LT into ST.

The remarkable error found on the last word of Zech. 14:20, הַמִּזְבֵּחַ׃, is easily detected for three reasons. First, the reader is at a loss as

12 Often erroneously called סוֹף־פָּסוּק. See Cohen, p. 31. *Cf.* Wickes (above, n. 10), pp. 16, 61.

13 Num. 7:17, 23, 29, 35, 47, 53, 59, 65, 71, 77, 83.

14 Wickes (above, n. 10), p. 107, and Cohen, p. 67.

15 ST exhibits also a consonantal error in this occurrence of the word, reading אלים instead of אילם. See par. 3 below.

16 Wickes (above, n. 10), p. 107, and Cohen, p. 66.

to how to pronounce the word, for he has never encountered a Hebrew vowel represented by three dots in a horizontal line. Second, the word appears without its accent, סִלּוּק, which is expected at the end of each verse. Third, slightly less obvious but still apparent, is the fact that a final letter ח is always preceded by a furtive פתח vowel (חַ), unless it is instead preceded by a פתח (Xַ) or a קמץ (Xָ) vowel. Here again is a duplication of a misprint[17] in LT.

From these examples it is already clear that, Snaith's claim notwithstanding,[18] the copy supplied to the typesetter was a standard Letteris Bible.

We now attempt, first, to classify the errors in ST, and, second, to offer etiologies for many of them.

Classification of Errors

§2 *Errors in the consonantal text*

3. ST exhibits errors in the most fundamental aspect of the Bible, namely, the consonantal (unvocalized) text. Spelling errors occur. The letter ה appears erroneously in place of the letter ח in Gen. 27:33 (יִצְהָק). On the other hand, the letter ח appears in place of the letter ה in at least five instances: Gen. 2:14 and 31:20 (חוּא), Esth. 4:7 (בַּיְּחוּדִיים),[19] Num. 29:12 (where ST misspells the Tetragrammaton: לַיחוָה), and Lev. 25:35 (where we see that even a consonantal misspelling in LT was adopted by Snaith in his text: וְחֶחֱזַקְתָּ). Also, in Num. 7:41, a metathesis occurred (אֵלִים in ST, instead of אֵילִם).[20]

4. Second, although it is claimed that "the Masoretic traditions as to

17 A more sophisticated and careful scrutiny of the misprint in LT reveals that the original error is the result of a defective printing plate, although presumably the word was once set correctly. See par. 24 below. For other cases of defective printings in LT being misinterpreted and copied exactly as they were seen, see par. 23 below.

18 See n. 2 above.

19 The Masoretic note on this word refers only to the superfluous letter י in the כתיב, and is in no way meant to imply that the letter ח is correct as it stands.

20 ST exhibits also an accentuation error on this word. See par. 2 above.

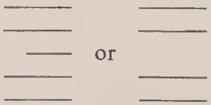
spacing, &c., have been followed as closely as possible,"[21] it must be noted that it is not the spacing of Or. 2626–8 which Snaith presented in his text. For example, in Jer.38:28, Snaith introduced a space into the middle of the verse and an accompanying Masoretic note פסקא באמצע פסוק "[There is] a space in the middle of a verse." This space does not appear in Or. 2626–8; rather, it seems to have found its way into Snaith's printed text via LT. Furthermore, the pattern of spacing which ST depicts for Deuteronomy 32 (the Song of Moses),[22] for Judges 5 (the Song of Deborah), and for 2 Samuel 22 (David's Psalm) reflects the pattern of LT, not that of Or. 2626–8.

Also, even with respect to the configuration of sections found in the Torah, Snaith did not conform to Or. 2626–8. In Exod. 12:1, 38:1, and Num. 3:40, a פתוחה, an "open" section,[23] of Or. 2626–8 is instead displayed in ST as a סתומה, a "closed" section,[24] matching LT. In Exod. 35:30, Lev. 15:19, and Deut. 19:11, ST exhibits פתוחה divisions, matching the spacing in LT, although Or. 2626–8 has סתומה divisions here. These and many other such instances testify that ST's spacing stems from a source other than Or. 2626–8, although it is claimed that Snaith followed

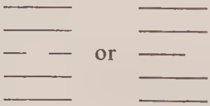
21 ST, preface.

22 The spacing and incipits of hemistichs of Or. 2626–8, with one exception (verse 25), and of the Shem-Ṭob Bible (see n. 9), with no exceptions, reflect the authentic Ben Asher tradition as described by Maimonides, as closely as does the Aleppo Codex (see Moshe Goshen-Gottstein, "The Authenticity of the Aleppo Codex," *Textus* 1 [1960] 36–39); however, Snaith followed LT's spacing, even though it differs with the Ben Asher tradition in four places (verses 7, 11, 14, and 25).

23 Indicated by starting the next section of the text at the beginning of a line, first skipping a line if the preceding line is full:



24 Indicated by leaving a small space either on the same line as that upon which the preceding section ends, or, if that line is full, at the beginning of the next line, with the next section of the text beginning on the same line as that space:



Or. 2626–8 except "to correct vagaries due to the errors which even the most accurate copyists make."[25] With reference to the sections in Or. 2626–8, however, C.D. Ginsburg states that its spacing is "in harmony" with its tradition[26] and is not the result of mere slips of the copyist.

5. It may be noted in addition that, with regard to the critical marks which accompany the consonantal text,[27] Snaith introduced several inaccuracies. In most occurrences of the extraordinary dots which appear in the text in fifteen places,[28] Snaith conformed to the Or. 2626–8 practice of utilizing large dots as the points which are to appear on certain letters. However, in Gen. 33:4, 37:12, Num. 3:39, and Deut. 29:28, Snaith instead followed the LT practice of using little dots.

Once, Snaith erred in the placement of the extraordinary dots. Several traditions exist regarding the the proper number and location of the dots on the word לולא in Ps. 27:13.[29] However, the configuration displayed in ST (six dots, including a dot under the letter ו but not under the letter ל)[30] conforms neither to the configuration of dots in Or. 2626–8 nor to any of the other traditions cited (that of Or. 2626–8 included) in Norzi's Masoretic commentary מנחת שי,[31] which, according to Snaith, provided a basis for his Bible.[32]

Besides the extraordinary dots, another form of critical mark also appears in the consonantal text. In nine locations a so-called נון הפוכה "inverted letter נ" appears between verses. Seven of these characters, those preceding verses 23 through 28, and 40, of Psalms 107, are depicted in ST as mirror images of the standard letter נ, the usual method used

25 ST, preface.

26 C. D. Ginsburg, *Introduction to the Massoretico-Critical Edition of the Hebrew Bible* (London 1896; reprinted, New York 1966), p. 712.

27 See Saul Lieberman, *Hellenism in Jewish Palestine* (New York 1962), pp. 38–46, and see Ginsburg, *Introduction,* pp. 318–345.

28 Gen. 16:5, 18:9, 19:33, 33:4, 37:12; Num. 3:39, 9:10, 21:30, 29:15; Deut. 29:28; 2 Sam. 19:20; Isa. 44:9; Ezek. 41:20, 46:22; Ps. 27:13.

29 Jedidiah Solomon Norzi, מנחת שי (first published in the Mantua Bible of 1742), *ad loc.*, and (use with caution) Ginsburg, *Introduction*, pp. 333 f.

30 For an explanation of the discrepancy between this configuration and the Masoretic footnote in ST, see par. 21 below.

31 *Ad loc.*

32 Snaith, "The Ben Asher Text" (above, n.*), p. 12.

in printed texts and an approximate replica of the Or. 2626–8 symbol. But in the two remaining cases, those enclosing Num. 10:35 and 36, an upside-down letter נ is used in ST for this special character, at variance with Or. 2626–8 and in direct opposition to Norzi's מנחת שי.[33]

§3 *Errors in vocalization*

6. Vocalization errors are numerous in ST. A vowel is omitted in 2 Chron. 2:17, where ST reads וּשְׁמנִים instead of וּשְׁמֹנִים. In other cases, vowels are printed incorrectly. In Deut. 11:10, ST reads הָיָּרָק, while the correct reading is הַיָּרָק. In 2 Ki. 17:8, a שוא vowel (×) was replaced by a מֶתֶג[34] (×) so that יִשְׂרָאֵל$_2$ appears instead as יִשְׂרָאֵל. In Hos. 1:1, we find בֵּן־ instead of בֶּן־$_1$, while in Hab. 1:7, the proper reading מִמֶּנּוּ appears instead as מְמֶּנּוּ. Ezra 2:63 exhibits the reading לָהָם rather than the correct לָהֶם. In each of these cases, ST's reading, differing from all standard editions as well as from Or. 2626–8, is in no way justifiable.

7. In the critical area of the vocalization in קרי־כתיב situations ST also has errors. Snaith's procedure was to vocalize the כתיב with the vowels of the קרי. However, in 2 Sam. 21:12, where the כתיב is שם and the קרי is שָׁמָּה, Snaith pointed שָׁם, instead of the expected שָׁמָּ. In 1 Ki. 1:47, the כתיב of the word in question is —היך, while the קרי is —הִים. Transferring the vowels of the קרי to the consonants of the כתיב yields —הִיךָ. ST's reading of —הִיךְ is an obvious error, which also occurs in LT.

8. A mistake of more severe proportions is found in Isa. 40:31. Although with regard to the vocalization of the first word of the verse, Or. 2626–8 is ambiguous[35] (וְקוֹיֵ), it is easily shown that the reading in ST, וְקוֹיֵ, is not consistent with the reading which Snaith's methodology demands. In מנחת שי, Norzi states with reference to this word: היו״ד בצירי והיא עי״ן הפועל ויו״ד הרבים נעלמת והוסרה היו״ד מהמכתב ונשארה במבטא... "The letter י is [vocalized] with the vowel צרי [×], [the letter י]

33 On Num. 10:35.

34 I.e., גַּעְיָה.

35 The note in the Masorah Parva of Or. 2626–8 on Ps. 37:9, however, states: ל[יתא] וא׳ וקויי "[There is] none [identical to it]; however, [there is] one [similar word,] וְקוֹיֵ."

being the second letter of the root. The letter י signifying the plural is missing, that letter י not being written but yet remaining pronounced . . ." The reading he prescribes, then, is וְקוֵֹי, and not וְקוֹיֵ. It is also significant that this is the reading consistently preferred by medieval grammarians such as David Kimḥi and Abraham ibn Ezra.[36]

That misvocalization, וְקוֹיֵ, is one which has plagued many respected printed editions in the past. Most noteworthy is the appearance of this faulty reading in the apparatus of BH.[37] The note in the upper apparatus, "L וְקוֹיֵ," is interpreted: "[But] Leningrad Manuscript B19a reads וְקוֹיֵ." However, since the text of BH also reads וְקוֹיֵ, this note is seemingly redundant, for the reader automatically assumes that the reading of the printed text is that of the Leningrad manuscript, the basis of BH.[38] It is obvious, then, that the intention of the editors was to present two different readings, one in the body of the text and one in the apparatus.

In actuality, Leningrad B19a plainly exhibits[39] the reading וְקוֵֹי. The fact that וְקוֵֹי is the reading there, also may be deduced from the note in the manuscript's Masorah Parva, which is reproduced in the printed edition. The note on the word in question reads: ל̇[ית̇א] וחד וקוי ה׳ המה "[There is] none [identical to it]; however, [there is] one [similar word,] וְקוֹיֵ, in Ps. 37:9." Since there is no disagreement regarding the vocalization as וְקוֹיֵ in Ps. 37:9, this note clearly indicates that the reading in Isa. 40:31 must be different, namely, וְקוֵֹי.

It is unfortunate that the editors of BH intentionally chose the reading וְקוֹיֵ for the body of the text, but it is even more unfortunate that this reading is claimed, as the result of a misprint in the critical apparatus, to be the reading of Leningrad B19a, as well.

Regrettably, since Snaith *also* erred in this crucial situation by printing וְקוֹיֵ (matching LT) rather than the correct וְקוֵֹי (as demanded by his

36 Commentary of David Kimḥi, *ad loc.*; commentary of Abraham ibn Ezra on Ps. 37:9, explained by the comment of מנחת שי on that verse.

37 The new edition of BH (תורה נביאים כתובים *Biblia Hebraica Stuttgartensia,* ediderunt K. Elliger et W. Rudolph, textum Masoreticum curavit H. P. Rüger, Masoram curavit G. E. Weil: ספר ישעיהו *Liber Jesaiae,* praeparavit D. Winton Thomas [Stuttgart 1968]) also contains this misprint in its text.

38 BH, pp. xxvi, xxix.

39 The manuscript was examined in facsimile, תורה נביאים כתובים: *Codex Leningrad B19a* (Jerusalem 1971).

chosen critical method), he has caused even further misunderstanding of an already much-abused word.

9. An unfortunate vocalization error has been retained, with ST's displaying LT's אִתְּךָ at the end of Num. 18:19, in place of the proper אִתָּךְ. Not only does Or. 2626–8 clearly indicate the correct reading, but this reading is supported by the comment in מנחת שי on Num. 18:7: ...כל ספרא אִתָּךְ במ״ג אִתְּךָ וסימנהון ואתה ובניך אתך תשמרו. וזה לך תרומת. כל תרומת הקדשים ע״כ. ושלשתם הם בפרשה זו זה אחר זה: "... '[In] the entire book [of Numbers, אתך is vocalized consistently as] אִתָּךְ except for three [instances of] אִתְּךָ, namely, 18:7, 11, and 19,' all of which appear one after another in this chapter." Accordingly, for the *second* occurrence of אתך in 18:19, the standard vocalization, אִתָּךְ, must be employed. Therefore, it is clear that, all his chosen critical evidence to the contrary, Snaith merely perpetuated this error, adding yet another support[40] to a common misprint which already has gained wide acceptance as the correct reading.

§4 *Errors in accentuation*

10. Errors in accentuation in ST are the most numerous. A brief glance at the Appendix will suffice to indicate that there are hundreds of accent misprints, half of which appear *also in LT*.

11. In addition, frequent misplacement of a particular symbol results in confusion of two distinct accents, מַהְפָּךְ and יְתִיב. מהפך is a conjunctive accent,[41] indicating the connection of a word to the next word. יתיב, on the other hand, is a disjunctive accent,[42] representing a syntactical division within the verse. Although these accents are represented by the same symbol, they are distinguishable by the location of that symbol on a word. מהפך should be placed directly under the first letter of the stressed syllable, or, if there is a vowel under that letter, im-

40 See also עשרים וארבעה ספרי הקדש, edited by C. D. Ginsburg (London 1894).

41 Wickes (above, n. 10), p. 107, and Cohen, p. 67.

42 Wickes, pp. 19 f., and Cohen, p. 48.

mediately to the left of that vowel. יתיב, however, should always be placed so that it precedes the first letter of the word.[43]

Using the word או as a model, we now explore the various ways that Snaith accented this word with מהפך and יתיב. In Isa. 50:1, ST correctly displays the word with a יתיב (או). In Lev. 17:3, however, the יתיב is placed ambiguously, *under* the first letter (או), so that the accent now closely resembles a מהפך. The מהפך, on the other hand, appears correctly on this word only once to our knowledge, namely, in Lev. 13:48 (או₁). An ambiguously placed מהפך, as in Lev. 21:20 (או₂), however, is easily found, as is ST's predominant error, the appearance of מהפך instead as יתיב,[44] as in Lev. 14:22 (או). The one remaining possible combination, the יתיב appearing wrongly as מהפך, does not occur at all, to our knowledge, on this model word; in fact, in all we have found it only once, duplicating the LT error in Jer. 13:6 (קום). Snaith concluded his "variations" by omitting the irksome symbol completely (as does LT) in Lev. 22:5 (אוֹ).

12. There is one other situation in which proper placement of a symbol is crucial in distinguishing between two different accents, the case of פַּשְׁטָא and קַדְמָא. Although ST does indicate Snaith's awareness of the importance of this distinction, in a few significant instances Snaith's efforts were insufficient.

According to the Tiberian system of accentuation, פשטא, a disjunctive accent, is placed above the left end of the last letter of a word. קדמא, on the other hand, is a conjunctive accent and is placed above the first letter of the stressed syllable of a word.[45] For example:

Exod. 24:9 נָדָב (פשטא)

but Lev. 10:1 נָדָב (קדמא)

Although this is the distinction found in manuscripts and in the best standard printed editions, it must be noted that most printed Bibles rarely display this distinction with precision. In particular, this shortcoming in LT has serious repercussions in ST.

First, obvious פשטא־קדמא errors in LT were often copied into ST.

43 Wickes, p. 20 (N.B., n. 45), and Cohen, p. 7.

44 See the Appendix for errors of this variety.

45 Wickes (above, n. 10), p. 19, and Cohen, p. 8.

Examples include Esth. 2:17 (וַיֶּאֱהַב should be וַיֶּאֱהַב) and Num. 21:23 (וְלֹא־נָתַן should be וְלֹא־נָתַן). The latter is an especially unfortunate error since even the most respected scholarly editions have retained this same mistake. BH exhibits the wrong accentuation, פשטא, despite the fact that its manuscript, Leningrad B19a, correctly shows קדמא. Also, C. D. Ginsburg's Bibles of 1894 and 1926[46] have פשטא, although the first edition of Jacob ben Ḥayyim's Bible[47] (Ginsburg's basis)[48] has קדמא.

13. The remaining errors in this area occurred when Snaith's efforts to improve upon LT were unsuccessful. Letteris did not print the פשטא properly (i.e., immediately to the left of the last letter of the word); instead, LT displays the פשטא *above* the last letter of the word. Snaith and his printer, however, took "great pains"[49] in their book to place each פשטא immediately to the left of the letter with which it is associated in LT. Snaith's system often fails when the פשטא symbol is to be repeated over the penultimate syllable to indicate that that syllable is to be stressed (הַמַּיִם). In such a case it is sufficient, according to manuscripts, to place the additional symbol directly *above* the first letter of that syllable, for, with the פשטא already present after the last letter of the word, there is no possibility of confusion with קדמא. But Snaith moved this penultimate פשטא to a position immediately *following* its appropriate letter. At times this practice resulted in implausible configurations, with the penultimate פשטא appearing as if it were above the last syllable, rather than following the penultimate syllable. Examples of this phenomenon are easily found. In words which end with the consonants לנו, the penultimate פשטא regularly appears above the letter נ rather than over the correct letter, ל; examples include Exod. 32:23 (הֶעֱלָנוּ) and Deut. 15:20 (תֹּאכְלֶנּוּ). At times other consonants following the letter ל also exhibit this misplaced accent, as in Amos 8:11 (לַלֶּחֶם). An extreme case is found in Joel 4:17, for example, where both פשטא symbols are crowded onto a single letter (יְרוּשָׁלַםִ).[50]

46 תורה נביאים כתובים, edited by C. D. Ginsburg (London 1926; reprinted, Jerusalem 1969).

47 *Second Rabbinic Bible* of Bomberg (Venice 1524).

48 Ginsburg, *Introduction* (above, n. 26), p. xlvii, and Ginsburg's Bible (1926), p. iv.

49 ST, preface.

50 Another practice also produced implausible configurations. In an attempt

A further ramification of the use of LT is the inconsistency of Snaith in indicating a penultimate פשטא preceding a furtive פתח vowel (־ַח). The practice followed in LT and in many manuscripts is to leave these penultimate stresses unmarked. Snaith elected, however, to indicate these penultimate accents (e.g., הוֹשֵׁ֙עַ, in 2 Ki. 17:3),[51] at variance with Or. 2626–8, but in harmony with BH[52] and its manuscript. Despite good intentions oversights often occur, when the LT system is retained, thereby causing inconsistencies in ST as a whole. Examples include Hos. 1:1 (אֶל־הוֹשֵׁעַ), Lev. 9:4 and Mal. 1:8 (לִזְבֹּחַ), and Ezek. 43:13 and 43:27 (הַמִּזְבֵּחַ).

14. As mentioned above, ST testifies to Snaith's extreme meticulousness in moving the פשטא symbol to the immediate left of the final letter of the word. In a few instances, however, neglect results in the appearance of the symbol precisely as in LT, above the final letter of the word, as in Exod. 9:27 (וַיִּקְרָא), Ezek. 8:10 (וּבְהֵמָה), and Amos 6:1 (נְקֻבֵי).

By allowing a particular shortcoming in LT to go largely unnoticed, Snaith did not help an already unsatisfactory situation. LT, except in rare instances, displays no distinction between פשטא and קדמא above a uniliteral ultimate syllable:

Deut. 28:12 אַרְצְךָ should be אַרְצְךָ (פשטא)
while Deut. 28:13 וּנְתָנְךָ should be וּנְתָנְךָ (קדמא)

In ST, generally these ambiguities are treated uniformly as פשטא; however, quite often קדמא is the correct accentuation, as in Num. 20:8 (וְהוֹצֵאתָ should be וְהוֹצֵאתָ), Deut. 15:18 (בְּשַׁלֵּחֲךָ should be בְּשַׁלֵּחֲךָ), Deut. 28:13 (וּנְתָנְךָ should be וּנְתָנְךָ), 1 Sam. 29:6 (צֵאתְךָ should be צֵאתְךָ), and Cant. 1:16 (הִנְּךָ should be הִנְּךָ).

At times the typesetter went too far in moving the פשטא to the left, so that the פשטא appears suspended in the space between two words, as

to fit an accent under the proper letter, at times the printer found it necessary to push the vowel somewhat to the right of its normal location. In some instances, this has resulted in that vowel's appearing under the incorrect consonant, e.g., Num. 34:9 (עֵינָן), Deut. 19:21 (עֵינֶךָ), Deut. 32:13 (וַיֵּנִקֵהוּ), and Ezek. 11:1 (אֶת־יַאֲזַנְיָה).

51 Snaith himself declares that this is his procedure. See Norman H. Snaith, "Prolegomenon," in C. D. Ginsburg, *Introduction to the Rabbinic Bible* and *Massoreth Ha-Massoreth* (New York 1968), p. xxi.

52 For other possible influences of BH on ST, see §12 below.

in Eccl. 8:17 (הֶחָכָם֙ לָדַ֔עַת) and 1 Chron. 16:20 (וַיִּֽתְהַלְּכוּ֙ מִגּ֣וֹי). Finally, in Esth. 9:13, the typesetter placed the פשטא over the first letter of the following word (לַיְּהוּדִים֙ אֲשֶׁ֣ר).[53]

§5 *Use of the* מתג

15. Upon analyzing Snaith's use of the מֶתֶג (×) it became apparent that it would be difficult to catalogue all the discrepancies between ST and Or. 2626–8. Snaith claims explicitly that the use of the מתג in ST is in complete harmony with its use in the best Spanish manuscripts[54] (among which Or. 2626–8 is considered outstanding).[55] Despite this claim, the use of the מתג in ST bears no resemblance to its use in Or. 2626–8 or in any other manuscript Snaith cites as authoritative. No attempt is made here to analyze comprehensively Snaith's use of the מתג, but a few general statements regarding several uses of the מתג may prove illuminating.

16. A study of Or. 2626–8 reveals that the מתג was used very sparingly.[56] (1) The open-syllable מתג on a word such as יֵֽצְאָ֔ה is found rarely, if ever. (2) The open-syllable מתג on a word such as תְּֽרוּמָתִ֑י occurs randomly, but to no great extent. (3) The מתג which precedes a compound שוא vowel (×, ×, ×), as in יַֽעֲקֹ֔ב, occurs rarely, if ever. (4) The closed-syllable מתג on words such as הַֽמַּחֲנֶ֔ה and אֶֽת־יִשְׂרָאֵ֖ל appears consistently on words with disjunctive accents, and rarely, if ever, on words with conjunctive accents. (5) On a word where Norzi found a מתג on an initial שוא vowel (×) in his Sephardi manuscripts, this מתג is regularly found on that word in Or. 2626–8 as well.

53 There are instances of the printer's placing other symbols in previously inconceivable positions. In Zech. 9:13, צִיּ֔וֹן עַל־בָּנַ֖יִךְ appears in ST instead as צִיּוֹן עַ֔ל־בָּנַ֖יִךְ, where the זקף־קטן of ציון appears over the first letter of the following word. (It is intriguing to note that BH exhibits a misprint here as well: צִיּ֕וֹן instead of the correct צִיּ֔וֹן, as in Leningrad B19a. For more obvious influences of BH on ST, see §12 below.) In 2 Chron. 4:22, הַקֳּדָשִׁ֑ים appears in ST instead as הַקֳּדָ֑שִׁים, where the accent and the dot which were to appear over the letter ש are found instead above the preceding letter.

54 Snaith, "Prolegomenon" (above, n. 51), pp. xxxiii-xxxv.

55 ST, preface.

56 Snaith describes Or. 2626–8 similarly. See Snaith, "Prolegomenon" (above, n. 51), pp. xxxii–xxxiii.

LT, on the other hand, exhibits the מתג much more frequently. The types of מתג described above in (1), (2), and (3) occur consistently. The מתג of type (4) appears very rarely. The מתג of type (5) is found only infrequently.

However, ST exhibits neither of these systems. In ST, the use of the מתג of types (4) and (5) coincides with the use of these מתגים in Or. 2626–8. The מתג of types (1), (2), and (3) appears consistently except on a word on which there appears instead a מתג of type (4) or type (5). In addition, a מתג appears on *every* unstressed קמץ גדול vowel (ׇ×) preceding a שוא vowel. In sum, it may be seen that ST exhibits the מתג in far more instances than does Or. 2626–8, and even more often than does LT, despite Snaith's acknowledgment that the standard practice of manuscripts is to maintain a sparse use of the מתג.[57]

Although we do not presume to explain every מתג in ST, it is possible to reproduce the vast majority of מתגים in ST:

1. Begin with a copy of LT.
2. Scan Or. 2626–8 to find every מתג.
3. When a מתג is found, replace the מתג configuration of that word in LT with the מתג configuration of that word in Or. 2626–8.
4. Add a מתג in LT on *every* unstressed קמץ גדול vowel preceding a שוא vowel.

The result is essentially a text with the מתג system of LT, except for an occasional word which shows instead the מתג pattern of Or. 2626–8. This artificial מתג system is substantially that which appears in ST.

17. Numerous errors result in ST from Snaith's methodology in determining the placement of the מתג. First, at times a מתג from Or. 2626–8 was added without the removal of the מתג present in LT. The result is a word exhibiting a conflation of the מתג patterns found in the two sources, a configuration which Snaith himself has denounced: "... the worst example of what can happen is in such forms as וַֽיַּֽעֲשׂוּ with [מתג] under both the [letter י] and the initial [letter ו] and a disjunctive accent. Nothing like this would be tolerated in any codex ...."[58] But ST *does* depict such forms: Exod. 12:50 (וַֽיַּֽעֲשׂוּ), and similarly, Exod. 3:10 (וְאֶֽשְׁלָֽחֲךָ) and Jer. 52:4 (וַֽיַּֽחֲנוּ).

57 *Ibid.*, p. xxxiv.
58 *Ibid.*

Second, Snaith's[59] practice of systematically inserting a מתג on every unstressed קמץ גדול vowel preceding a שוא vowel results in strange configurations in two situations. (1) When a מתג from Or. 2626–8 had already been inserted on an adjacent syllable, the addition of this new מתג resulted in a new configuration which is without support from authoritative[60] manuscripts: 2 Ki. 22:13 (לֹֽא־שָֽׁמְע֜וּ), Jer. 38:25 (וְאָֽמְרֽוּ), and Ezek. 5:13 (וְיָֽדְע֞וּ). (2) When this קמץ גדול vowel appears in a syllable accented with קַדְמָ֨א, ST displays the anomaly of a syllable with both an accent and a מתג: Exod. 21:22 (וְנָֽגְפ֜וּ), Deut. 7:13 (דְּגָֽנְךָ֜), and Judg. 9:6 (וַיֵּֽאָסְפ֜וּ).

§6 *Errors outside the body of the text*

18. Finally, ST exhibits errors other than those found in the body of the text itself. First, perhaps ST's most innocuous error, occasional misprints in the numbering of the verses can be found. The numbers in the margins labeling Deut. 19:2, Josh. 22:28, Jer. 36:17f., and Ps. 150:2–6 appear one line above their respective proper locations; also, the Masoretic footnote which Snaith added for Num. 4:36 is labeled instead as a note belonging to Num. 4:35. In Deuteronomy 5, where Snaith provided a dual numbering of the verses (corresponding to two alternate systems of sentence divisions of the Ten Commandments), verse 21 should be labeled "21/18."[61] Furthermore, the Masoretic footnote for the title preceding Exod. 1:1 is preceded by a right-hand parenthesis, just as it is in LT, although the appearance of this symbol in either book is pointless.[62]

19. More serious are the occasional errors in a significant aspect of the Masoretic text, namely, the Masorah itself. Simple misprints occur in the Masoretic footnotes to Gen. 14:2 (where the abbreviation ק׳ [= קרי] is inadvertantly omitted, rendering the note unintelligible), Exod. 28:21

59 *Cf.* the similar practice of the editors of BH, who did indicate, however, that this מתג was not found in their manuscript (BH, pp. xxvii, xxxi).

60 Snaith, "Prolegomenon" (above, n. 51), pp. xxxiii–xxxv.

61 *Cf.* the parallel case, Exod. 20:14/17.

62 *Cf.* in both LT and ST the notes for the titles preceding Lev. 1:1, Num. 1:1, and Deut. 1:1, which do not contain this symbol.

(where the term סבירין is misspelled מבירין), and Neh. 7:68 (where פְרְדֵיהֶם should be פְּרְדֵיהֶם, and וַחֲמִשָּׁה should be וַחֲמִשָּׁה׃[63]).

Several such misprints are copied from LT, as in the Masoretic notes to Lev. 16:18 (where the double stroke indicating the second acronym is omitted: בי״ה שמו should read בי״ה שמ״ו),[64] 2 Sam. 21:12 (where "שמה פלשתים ק׳ ibid." should read "פלשתים ק׳ ibid. שמה ק׳ ibid." in order to conform to the number of footnote indicators in the body of the text),[65] Isa. 44:9 (where the Masoretic note is incomplete, reading נקוד על "[There are extraordinary] dots on," rather than either נקוד על המה[66] "[There are extraordinary] dots on המה" or נקוד עליו[67] "[There are extraordinary] dots on it"),[68] and Ezek. 30:16 (where the stroke indicating an abbreviation is missing[69] following the letter ק: תחול ק "[?] תחול" should read תחול ק׳ [= קרי] "[The word] is read תחול").

A most puzzling error is found in the footnote to 1 Sam. 20:18. The section beginning with this verse is the הפטרה[70] assigned to a Sabbath which precedes a new month inaugurated on the following day. The note should read: הפטרה לערב ראש חדש "The הפטרה for the eve of a new month." LT reads: הפטרה כשחל ר״ח ביום א׳ "The הפטרה [read] when the beginning of a month falls on Sunday." It is understandable why Snaith did not use Letteris' note, since the Letteris wording perhaps suggests

63 *Cf.* the note to Josh. 21:36, where verses appearing in a footnote *are* followed by סוף־פסוק (׃).

64 *Cf.* Gen. 49:8, Exod. 14:28, Num. 24:5, and Deut. 31:28, where the acronym is written properly.

65 Three little circles, indicating the presence of three Masoretic notes, appear in the body of the text, while only two notes appear for that verse. Either three notes must appear (*cf.* 2 Sam. 21:9) or only two circles must appear in the text, as is the case in Or. 2626–8 (תלוֹם שם הֿפלשתים). (For a discussion of ST's vocalization error on the word שם, see par. 7 above.)

66 *Cf.* the Masoretic notes to Gen. 33:4 (נקוד על וישקהו), 2 Sam. 19:20 (נקוד על יצא), *et al.*

67 This inconsistency in LT appears only in Ezek. 41:20 and 46:22.

68 For a discussion of the discrepancy between these notes, even when correctly written, and the notes found instead in Or. 2626–8, see par. 21 below.

69 A more careful examination of the note in LT reveals that the stroke was originally present in LT but is now virtually undetectable because of damage to the printing plates. For other examples of broken characters in LT being misinterpreted in ST, see §7 below.

70 The prophetic reading which follows the reading from the Pentateuch in certain Jewish worship services.

that this portion is to be read on Sunday, the first day of the new month, rather than on the preceding Sabbath. However, Snaith's version is certainly more misleading: הפטרה לערב ראש השנה "The הפטרה for New Year's Eve." This note is inaccurate, and implies something else contrary to fact, namely, that the Jewish New Year may begin on Sunday, an occurrence prohibited by the laws of the Jewish calendar.

20. Not only do Snaith's Masoretic notes contain errors and misprints, but his notes derive from sources which are divergent from Or. 2626–8. For example, the note to Lev. 10:16 is that of LT: דרש בראש שיטה והיא חצי התורה בתיבות "The word דרש appears at the beginning of a line, and it is at the midpoint of the Torah with respect to [number of] words." Or. 2626–8, however, reads: חצי התוֹר[ה] בתיבוֹ[ת] דרש מכא ודרש מכא "[The space between the words דָּרֹשׁ and דָּרַשׁ is] the midpoint of the Torah with respect to [number of] words; דָּרֹשׁ belongs to [the first half], and דָּרַשׁ belongs to [the second half]." These two notes are divergent: whereas the LT and ST note stipulates that דָּרַשׁ must begin a line, and perhaps also implies that there is an odd number of words in the Torah, the Or. 2626–8 note does *not* specify that דָּרַשׁ must begin a line, and clearly implies that there is an *even* number of words in the Torah.

Furthermore, Snaith deleted Josh. 21:36–37 from the body of the text, in accordance with מנחת שי, and copied Letteris's lengthy explanatory note[71] which labels these two sentences as spurious. However, it must be noted that Or. 2626–8 *does* contain these verses in the body of the text, with an accompanying Masoretic note saying that the verses were *intentionally* included even though there was an authoritative manuscript which did not include these verses: אלו שני הפסוקים אינן כתובי[ן] בהללי "These verses are not written in [the authoritative][72] Hilleli

71 בקצת ספרים נמצאו כאן ב׳ פסוקים האלה. לקוחים מדברי הימים א׳ ו׳ פסוק ס״ג וס״ד. וכפי המסורה אינם ראוים להיות. ולמען לא יחסרו לקורא הצגנום פה בגליון. "In some books the following two verses are found here, taken from 1 Chron. 6:63 f., but according to the Masorah they should not be [here]. So that the reader will not lack them [however], we have presented them here in the margin." *Cf.* Neh. 7:68 for a comparable situation, where Snaith was excessively terse when he was not provided with a note by Letteris to copy: בס״א [= בספרים אחרים] נמצא הפסוק "In other books the [following] verse is found [here]."

72 Ginsburg, *Introduction* (above, n. 26), pp. 431 f.

[manuscript, however].” Thus, it was not merely copyist’s *errors* in Or. 2626–8 which Snaith excluded from ST (as is claimed),[73] but even variant traditions.

21. Snaith’s practice of culling notes from sources other than Or. 2626–8 at times resulted in discrepancies between these notes and his printed text. For example, the Masoretic note in ST in reference to the extraordinary dots above the word לולא in Ps. 27:13 is the Letteris note (נקוד מלמטה ומלמעלה חוץ מן ו׳ שלא נקוד אלא מלמטה “[There are extraordinary] dots below and above [all the letters], except the letter ו, which is dotted only below”). This note was used even though it is not one of the versions cited by מנחת שי,[74] and even though the Or. 2626–8 note (נקוד מלעי̇[ל] ומלר̇[ע] ב̇[ר] מ̇[ן] וו̇ מלר̇[ע] “[There are extraordinary] dots above and below [all the letters], except the letter ו [which is not dotted] below”) *does* correspond to one of the variants brought by מנחת שי. Furthermore, this ST note describes neither the configuration of dots found in the body of Or. 2626–8 nor the peculiar arrangement printed in ST,[75] but rather the configuration found in LT.

A similar case is found in Deut. 29:28, where Snaith’s note (י״א נקודות “[There are] eleven [extraordinary] dots”) is that of Letteris. Whereas LT does depict eleven dots, Or. 2626–8 and Snaith’s printed text both exhibit only *ten* dots.

Moreover, even in cases where Snaith’s note does describe the configuration of dots in Or. 2626–8 and ST, the note has been copied from LT and does not match the *wording* of the notes in his manuscript. For in each instance of dotted words in the Torah or the Prophets,[76] Or. 2626–8 provides a standard note: י̇[77] נקו[דים] בתור̇[ה] “[There are] ten [instances of extraordinary] dots in the Torah,” or ד̇[78] נקוד̇[ים] בנבי̇[אים] “[There are] four [instances of extraordinary] dots in the

73 ST, preface.

74 *Ad loc.*

75 See par. 5 above.

76 There is no corresponding note for the Writings since in that section there is but a single case of extraordinary dots (the note of which is discussed above).

77 With minor variations in the extent of the abbreviation.

78 See n. 77 above.

Prophets." The LT notes (and thus the ST notes) are generally more explicit, often citing the exact word or letter(s) dotted.[79] Thus, when the dot is to appear above a single letter and that letter appears twice in the word, Letteris generally specified which of the two letters is to be dotted (e.g., Num. 29:15 נקוד על ו' בתרא "[There is an extraordinary] dot on the final letter ו"). In one case, however, Letteris did not make this clarification. With reference to the word ובקומה in Gen. 19:33, the LT note states merely נקוד על ו' "[There is an extraordinary] dot on the letter ו." Snaith sought to clarify this ambiguity. However, in improvising the note נקוד על ו' תנינא "[There is an extraordinary] dot on the second letter ו," Snaith chose a wording inconsistent with the similar case noted above, Num. 29:15, where he merely used Letteris' note.

Having wrestled with multiple variations of size,[80] placement,[81] number,[82] and now Masoretic notes of the extraordinary dots, Snaith finally confronted the lone instance of Letteris's note נקוד על י' בתרא "[There is an extraordinary] dot on the final letter י," with reference to the word ובינֿיך in Gen. 16:5. Snaith resolved the matter by omitting both the footnote (despite the fact that Or. 2626–8 does demand a note) and its small circle in the body of the text.[83]

Etiology of Errors

Up to this point we have demonstrated that the Snaith Bible exhibits errors in every aspect of the Masoretic text: the consonantal text,[84] the vocalization,[85] the accentuation,[86] the use of the מתג,[87] and the Masoretic footnotes.[88] Most of the errors are simple misprints, resulting from careless typesetting and superficial proofreading; some, however,

79 In Ezek. 41:20 and 46:21 the LT (and ST) note reads merely נקוד עליו, inconsistent with Letteris' general practice. See par. 19 above.

80 See par. 5 above.

81 See par. 5 above.

82 See beginning of par. 21 above.

83 We were unable to detect the small circle in our microfilm of Or. 2626–8; the note, however, was clearly visible.

84 See §2 above.

85 See §3 above.

86 See §4 above.

87 See §5 above.

88 See §6 above.

are the result of more than the accidental supplantation of the correct character by a wrong one. For example, it has already been amply shown that a large number of ST's mistakes are reproductions of misprints already present in LT. For many additional errors this obvious explanation will not suffice. Nonetheless, we will attempt to demonstrate that it is still possible to explain in full detail their occurrence.

§7 *Damage in LT*

22. The reason for the occurrence of a number of Snaith's errors is the existence of damaged characters in the LT printing plates. In several of these instances the character is so faintly visible in LT[89] that it was passed over by Snaith's typesetter, resulting in an omission in ST. In at least one such case, 2 Chron. 36:5, a vowel was omitted (בִּירוּשָׁלָם in LT resulted in בִּירוּשָׁלָם in ST, instead of בִּירוּשָׁלִָם); in other instances, accents were omitted: Gen. 44:13 (וַיַּעֲמֹס in LT resulted in וַיַּעֲמֹס in ST, instead of וַיַּעֲמֹ֨ס) and Num. 5:31 and 20:11 (respectively, הַהִוא and רַבִּים in LT resulted in הַהִוא and רַבִּים in ST, instead of הַהִ֔וא and רַבִּ֔ים).

23. Elsewhere, damage to a character resulted in that character's being seen by the typesetter as an entirely *different* character. In Esth. 2:14, the extremely faint second dot of the זָקֵף־קָטֹ֔ן could not be seen by the typesetter, who interpreted the remaining, slightly more visible dot as a רְבִ֗יעַ (אֶל־הַמֶּ֗לֶךְ in LT resulted in אֶל־הַמֶּ֗לֶךְ in ST, instead of אֶל־הַמֶּ֔לֶךְ). Mutilation caused סלוק, at least twice, to resemble to some extent the form of other accents: מרכא, in Hos. 9:5 (חַג־ה׳: in LT resulted in חַג־ה֥׳: in ST, instead of חַג־ה׳:), and טפחא, in Ruth 3:15 (הָעִיר: in LT resulted in הָעִ֖יר: in ST, instead of הָעִֽיר:). Similarly, a damaged מרכא was interpreted as a מנח: Gen. 9:17 (וּבֵין in LT resulted in וּבֵ֣ין in ST, instead of וּבֵ֥ין), Num. 5:30 (אֶת in LT resulted in אֶ֣ת in ST, instead of אֶ֥ת), and 2 Chron. 4:4 (וְהַיָּם in LT resulted in וְהַיָּ֣ם in ST, instead of וְהַיָּ֥ם). Once, in Mal. 3:19, a damaged מהפך was copied instead as טפחא (וְכָל־עֹשֵׂ֖ה in LT re-

89 These characters are still faintly visible in the latest editions of LT published by the British and Foreign Bible Society. The reader is cautioned that many of these characters are not detectable at all in poor offset reproductions and that in the earliest editions no damage had yet occurred.

sulted in וְכָל־עֹשֵׂה in ST, instead of וְכָל־עֹשֵׂה). In Mic. 7:14, an unusually heavy dot of a חולם מלא vowel (וֹ×) in LT was mistakenly thought by Snaith's typesetter to represent the accent רביע (בְּתוֹךְ in LT resulted in בְּתוֹךְ in ST, instead of בְּתוֹךְ).[90]

24. The presence of an extreme example of damage in LT resulted in a threefold error in ST. In Zech. 14:20 in LT, the lower left-hand part of the word המזבח was damaged, producing a ה with a short left leg, obliterating the פתח vowel (×) under that ח, and truncating the סלוק: הַמִּזְבֵּחַ: shows damage below the dotted line —— הַמִּזְבֵּחַ: —— resulting in הַמִּזְבֵּחַ:. Snaith's typesetter copied LT without detecting the damage, producing the completely anomalous הַמִּזְבֵּחַ:, without the פתח vowel, without the סלוק, but with a vowel sign consisting of *three* dots in a horizontal line; the ח, however, has been repaired.

§8 *Failure in perception*

25. A second group of errors in Snaith is comprised of those which can be accounted for by the apparent inability of the typesetter to perceive certain symbols when they appear in LT in close proximity to letters. When an accent is directly beneath the descender of a letter in the preceding line in LT, the typesetter at times overlooked the accent entirely, causing an omission in ST. Thus, a זקף־קטן is omitted in Num. 20:21 (אֶת־יִשְׂרָאֵל in ST resulted from לִקְרָאתוֹ / אֶת־יִשְׂרָאֵל in LT) and Num. 31:50 (וְצָמִיד in ST resulted from וּנְקָרְב / וְצָמִיד in LT). Likewise, קדמא is omitted in Lev. 24:3 (שֶׁמֶן / לְפָרֹכֶת in LT resulted in לְפָרֹכֶת in ST) and 1 Chron. 5:18 (מֶלֶךְ־ / בְּנֵי־רְאוּבֵן in LT resulted in בְּנֵי־רְאוּבֵן in ST). In Ruth 1:22, a similar omission resulted because a זקף־קטן in LT is positioned unusually close to the ascender of a ל[91] (לֶחֶם in LT, instead of לֶחֶם, resulted in לֶחֶם in ST).

90 A similar misprint occurred in 1 Sam. 16:5, where ST reads לִזְבֹּחַ instead of לִזְבֹּחַ, although no damage in LT is apparent in this case.

91 *Cf.* Ruth 2:2, בשבלים, for the standard LT positioning of the זקף־קטן over a letter ל.

§9 *Incomplete alteration of LT*

26. Certain errors in ST are attributable to the existence of variant readings in different Masoretic texts. In some instances, even though Snaith incorporated into his text the variant reading he found in Or. 2626–8, he left a remnant of the reading found in LT and thereby caused a conflation of the two readings. Thus, in Ezek. 13:10, where LT reads הטעו את־עמי לאמר, Or. 2626–8 has הטעו את־עמי לאמר. ST, however, exhibits a dual accentuation (לאמר), where the extraneous accent זקף־קטן remains as a vestige of the LT reading. Similarly, in 1 Sam. 29:4, both the accent found in LT (וישב) and the accent found in Or. 2626–8 (וישב) appear together in ST (וישב). In Judg. 6:24, two different possible[92] variants exist. LT reads ויקרא־לו ה׳ | שלום, while Or. 2626–8 reads ויקרא־לו ה׳ שלום. ST, however, displays ויקרא־לו ה׳ | שלום with the פסק (|), now extraneous,[93] retained from LT.

27. In at least ten cases, Snaith incorporated into his printed text only a part of a sequence of variant readings found in Or. 2626–8, and thus left the remainder of the LT reading intact:

In Ezek. 28:17, Snaith included a vocalization change from Or. 2626–8 but left the LT accentuation unchanged (:לראוה־בך in Or. 2626–8 was to replace :לראוה בך in LT; ST reads :לראוה בך[94]).

In three cases, not all the necessary accentuation changes were made. In Jer. 27:12, LT reads בעל | מלך בבל while Or. 2626–8 reads בעל מלך־בבל. ST correctly exhibits the מקף (-) between the second and third word, yet incorrectly retains the accent מנח לגרמיה (|͏) from LT on the first word (בעל | מלך־בבל). Similarly, in Mal. 1:11, LT reads כי ממזרח שמש, while Or. 2626–8 reads כי ממזרח־שמש. ST again properly shows the מקף

92 See מנחת שי on Jer. 23:6, and Wickes (above, n. 10), p. 132.

93 A פסק appears only following a conjunctive accent, never after a disjunctive accent. See Wickes (above, n. 10), p. 120, and Cohen, p. 84. (The פסק following a word accented with מנח לגרמיה (|͏) or שלשלת | should be considered a part of the accent's symbol. See Wickes, pp. 17 f., 22, and Cohen (above, n. 10), pp. 8, 87.)

94 It is intriguing that, by Snaith's incorporating only one of the three changes demanded by Or. 2626–8, ST now matches the reading found in BH. For evidence that Snaith perhaps did obtain some readings from BH, see §12 below.

connecting the second and third words, but LT's accent תְּלִישָׁא־קְטַנָּה on the first word remains unchanged (כִּי מִמִּזְרַח־שֶׁמֶשׁ). Also, in Josh. 8:11, LT reads וְהַגַּי בֵּינָו וּבֵין הָעָי׃, while Or. 2626–8 reads וְהַגַּי בֵּינָו וּבֵין־הָעָי׃ . ST correctly exhibits the new accent טפחא on the first word and the new מקף connecting the last two words, but LT's accent טפחא on the second word remains unchanged (וְהַגַּי בֵּינָו וּבֵין־הָעָי׃).[95]

Twice, in Num. 5:18 and 21, Snaith moved a מתג (ֽ) in order to match Or. 2626–8 but neglected to change the accentuation on the preceding word. In each case LT reads הַכֹּהֵן אֶת־הָאִשָּׁה, while Or. 2626–8 exhibits הַכֹּהֵן אֶת־הָאִשָּׁה.[96] ST properly shows the מתג on the second word, but the LT מֻנַּח on the first word is retained (הַכֹּהֵן אֶת־הָאִשָּׁה).

In four cases, a vocalization error remains in ST after changes were introduced from Or. 2626–8. In 2 Chron. 3:5, Snaith incorporated into his printed text a variant in the *consonantal* text of Or. 2626–8 but did not include the corresponding change in vocalization: LT reads עֲצֵי בְרוֹשִׁים, while Or. 2626–8 reads עֵץ בְּרוֹשִׁים. ST, however, exhibits עֵץ בְרוֹשִׁים, with the letter ב still spirantized, as it is in LT (where the spirantization is correct because the letter ב is preceded by an open syllable of a word with a conjunctive accent).[97]

In Ps. 150:2 and 5,[98] Snaith incorporated into his printed text a variant in *accentuation* found in Or. 2626–8 but did not include the corresponding[99] change in vocalization. LT reads הַלְלוּהוּ בִגְבוּרֹתָיו and הַלְלוּהוּ בְצִלְצְלֵי־שָׁמַע, while Or. 2626–8 reads הַלְלוּהוּ בִּגְבוּרֹתָיו and הַלְלוּהוּ בְּצִלְצְלֵי־שָׁמַע. ST, however, exhibits הַלְלוּהוּ בִגְבוּרֹתָיו and הַלְלוּהוּ בְצִלְצְלֵי־שָׁמַע, without spirantization.

In 1 Chron. 8:28, Snaith incorporated into his text a variant in accentuation found in Or. 2626–8 and *did* include the corresponding change in vocalization. However, he neglected to correct the obvious vocalization

95 The appearance of the מֶתֶג (וּבֵין־) can be attributed only to Snaith's artificial מתג system. See §5 above.

96 The conjunctive accent preceding זַרְקָא becomes מֵרְכָא (instead of מֻנַּח) if a קַדְמָא precedes and a מתג or a פסק (|) follows (Wickes, p. 110, and Cohen (above, n. 10), p. 71), except in a few cases cited by the Masoretes.

97 W. Gesenius, *Gesenius' Hebrew Grammar*, edited by E. Kautzsch, translated by A. E. Cowley, 2nd English edition (London 1910), §21 a-c.

98 In ST, these verses are mistakenly labeled 150:3 and 6. See par. 18 above.

99 דְּחִי is a disjunctive accent, whereas מֵרְכָא is a conjunctive accent. See S. Baer, *Thorath Emeth* (Rödelheim 1852; reprinted, Jerusalem 1971), pp. 3, 5.

error which appears in LT on the same letter: LT reads : אֵלֶּה יָשְׁבוּ בִּירוּשָׁלִָם (LT should read : בִּירוּשָׁלִָם), while Or. 2626–8 reads : אֵלֶּה יָשְׁבוּ בִירוּשָׁלִָם. ST, however, retains the faulty שוא vowel (ְ) under the letter ב, , although that same letter has been properly spirantized: :אֵלֶּה יָשְׁבוּ בְירוּשָׁלִָם.[100]

§*10* *Commission of new errors while altering LT*

28. The fourth group comprises errors which occurred when Snaith's attempt either to correct a faulty reading in LT or to match a variant reading in Or. 2626–8 went awry. In a number of instances, Snaith's *success* in making the desired change is tainted by the inadvertent introduction of a new error into his printed text; in other instances, Snaith produced a new erroneous reading through his *failure* to alter LT according to his wishes.

29. In the former instances, the new error is generally found in the very same word where Snaith made his correction. For example, Snaith, while changing the vocalization in LT to the one found in Or. 2626–8, in three instances accidentally omitted the *accent* from that word: Lev. 7:1 (קָֽדָשִׁ֑ים in Or. 2626–8 was to replace קָדָשִׁ֑ים in LT; ST reads קָֽדָשִׁים), Num. 24:9 (וְאֹרְרֶ֖יךָ in Or. 2626–8 was to replace וְאֹֽרְרֶ֖יךָ in LT; ST reads וְאֹרְרֶיךָ[101]), and Judg. 5:19 (בְּתַעְנַ֖ךְ in Or. 2626–8 was to replace בְּתַֽעְנַ֖ךְ in LT; ST reads בְּתַעְנַךְ[102]). Once, in Zech. 6:2, an extraneous accent was unaccountably added when Snaith supplied a vowel omitted in LT (LT reads הָרִאשֹנָה instead of הָרִאשֹׁנָה, but ST reads הָרִאשֹׁ֗נָה) . Twice, when Snaith changed the מתג (ֽ) configuration found in LT to match that of Or. 2626–8, the *accent* of the word was inexplicably omitted: Gen. 28:12 (וַיַּחֲלֹ֗ם in Or. 2626–8 was to replace וַֽיַּחֲלֹ֗ם in LT; ST reads וַיַּחֲלֹם) and Amos 7:10 (אֶל־יָרָבְעָ֥ם in Or. 2626–8 was to replace אֶל־יָֽרָבְעָ֥ם in LT; ST reads אֶל־יָרָבְעָם). And once, in Zech. 7:13, Snaith's intentional deletion of a Masoretic footnote indicator found in LT (owing to Snaith's practice of omitting certain footnotes of LT)[103] inexplicably resulted in the ap-

100 The מתגים (ֽ) appearing in ST are copied from LT. See §5 above.

101 See n. 100 above.

102 See n. 100 above.

103 E.g., LT's technical footnotes to Gen. 11:3, 11:11, 12:5, 24:19, 25:23; Gen. 1:21, 2:22, 2:25, 3:6, 4:3, 4:4, 4:23, *et al.*

pearance of an incorrect accent on that same word: LT reads אֶשְׁמָ֫ע (with an accompanying Masoretic note),[104] whereas ST reads אֶשְׁמָ֫ע instead of אֶשְׁמָ֔ע.

Although the new error is generally found in the same word as Snaith's change, at times his successful alteration of LT affected an *adjacent* word. In once instance, 2 Ki. 15:2, Snaith's change of a LT vocalization resulted in the omission of the accent of the adjacent word (בְמָלְכ֔וֹ וַחֲמִשִּׁים in Or. 2626–8 was to replace בְמָלְכ֔וֹ וַחֲמִשִּׁים in LT; ST reads בְמָלְכ֔וֹ וַחֲמִשִּׁים[105]). In Num. 4:33, Snaith's replacement of a מנח in LT by a מתג (×) somehow resulted in his *omission* of the accent on the adjacent word (בְּיַד֙ אִיתָמָ֔ר, as prescribed by מנחת שי in his comment on Num. 4:28, was to replace בְּיַד֙ אִיתָמָ֔ר in LT; ST reads בְּיַד אִיתָמָ֔ר). In two instances, Snaith's change of the accentuation in LT unaccountably resulted in his *incorrect* accentuation of the adjacent word: Mal. 3:21 (אֲשֶׁר אֲנִי in Or. 2626–8 was to replace אשר־אני in LT; ST reads אֲשֶׁר אֲנִי) and 2 Chron. 3:15 (וַיַּעַשׂ לִפְנֵי in Or. 2626–8 was to replace וַיַּעַשׂ לִפְנֵי in LT; ST reads וַיַּעַשׂ לִפְנֵי).

30. There exist several instances of Snaith's failure to present correctly the very change from LT that he had apparently *intended* to make. In Gen. 43:7, Snaith replaced an accent in LT with the correct accent according to Or. 2626–8 but failed to place the accent under the proper letter (לָ֣נוּ in Or. 2626–8 was to replace לָנוּ in LT; ST reads לָנ֣וּ) ; in 1 Sam. 8:13, on the other hand, Snaith, noting the incorrect position of an accent in LT, made the proper adjustment in its position, but in doing so substituted an incorrect accent in its stead (LT reads יִקָּח instead of יִקָּ֑ח, but ST reads יִקָּח).

At times, Snaith was required to make a *series* of related changes in the readings of LT but failed to complete the entire series without error. In two cases, Snaith made the second of two changes correctly, but erred in the first: Deut. 27:9 (אֶל־כָּל־יִשְׂרָאֵל in Or. 2626–8 was to replace the faulty אֶל־כָּל יִשְׂרָאֵל in LT [LT should read אֶל־כָּל־יִשְׂרָאֵל] ; ST reads אֶל־כָּל־יִשְׂרָאֵל[106]) and Ezek. 8:5 (סֶמֶל הַקִּנְאָה in Or. 2626–8 was to replace

104 קמץ בז״ק [= בזקף־קטן] "A [pausal form denoted by] קמץ [×] is [found on a word accented] with [merely] a זקף־קטן."

105 See n. 100 above.

106 It is curious to note the similarity between this error in ST and the

סֵמל הקנאָה in LT; ST reads סמל הקנאה). In one case, Deut. 24:7, Snaith made a proper substitution of the first of two accents, but omitted the second accent completely (כִּי־יִמָּצֵא אִישׁ in Or. 2626–8 was to replace כִּי־יִמָּצֵא אִישׁ in LT; ST reads כִּי־יִמָּצֵא אִישׁ).

Once, in Num. 25:8, Snaith failed to complete the single substitution required by his manuscript: after removing the variant accentuation found in LT, he left the word without any accent at all (וַיָּבֹא in Or. 2626–8 was to replace וַיָּבֹא in LT; ST reads וַיָּבֹא).

§*11* *Contamination due to an identical word nearby*

31. The next group is comprised of readings which were contaminated when the incorrect vowel or accent was copied from an identical word in close proximity. In Hos. 11:10, the word ישאג occurs twice, with a single word intervening. In ST, the pausal vocalization of the word, as found on the first occurrence, was copied also as the vocalization of the second, non-pausal occurrence of the word, although Or. 2626–8 does not exhibit this incorrect vocalization: יִשְׁאָג כִּי־הוּא יִשְׁאָג should read יִשְׁאָג כִּי־הוּא יִשְׁאַג. In other instances, it is the accentuation of the word which was mistakenly copied from the identical word, only two words away: Exod. 36:30 (שְׁנֵי אדנים שְׁנֵי should be שְׁנֵי אדנים שְׁנֵי) and Jer 5:28 (דִּין לא־דנו דִּין should be דִּין לא־דנו דִּין). Lastly, ST twice wrongly displays the accentuation from a neighboring identical word and also retains the *correct* accentuation: Exod. 30:7 (בַּבֹּקֶר בַּבֹּקֶר should be בַּבֹּקֶר בַּבֹּקֶר) and Deut. 5:27/24 (אֵת / אֵת in LT resulted in אֵת ... אֵת in ST).

§*12* *Influences of BH*

32. Finally, there exists a correlation between certain errors in ST and readings in BH. Snaith emphasizes that, although he and Kahle "have worked from completely different suppositions," they "have achieved substantially the same result."[107] However, the similarity may not be so noteworthy inasmuch as, at times, the source of the readings

legitimate variant reading found in BH: אֶל כָּל־יִשְׂרָאֵל (see n. 112 below). See §12 below for other possible influences of BH on ST.

107 Snaith, "New Edition" (above, n. 2), pp. 207 f.

in ST was perhaps BH itself. For example, an unusual (for ST) vocalization of the name מרדכי appears twice out of over fifty occurrences of that name in the Bible. Whereas the reading of Or. 2626–8 and LT is consistently מָרְדֳּכַי (as is the predominant reading in ST), Snaith chose to match instead the consistent vocalization of BH and Leningrad B19a, מָרְדֳּכָי, in Esth. 4:12 and Ezra 2:2.[108]

Furthermore, in Exod. 15:7, ST exhibits the misprint[109] תַּהֲרֹס, matching BH,[110] instead of the proper תַּהֲרֹס found not only in Or. 2626–8 and LT, but also in Leningrad B19a, BH's own manuscript. Another example is found in Judg. 6:2, where ST displays the obvious misprint[111] עָשׂוּ לָהֶם |, which matches the faulty reading found only in BH, rather than the correct reading עָשׂוּ לָהֶם |, found in both Or. 2626–8 and BH's manuscript, Leningrad B19a.[112] Similarly, in Isa. 59:9, both ST and

108 Perhaps, in Ezra 2:2, Snaith's attention was drawn to BH's vocalization (or possibly that of British Museum Manuscript Or. 2375 [see n. 9 above]) of this word by virtue of the fact that he was inspecting BH's reading of the word immediately preceding (רְעֵלָיָה), in order to verify the addition of a מתג not found in LT (see §5 above). We are unable, however, to propose a possible explanation for his tampering with Esth. 4:12, unless it is perhaps that Snaith was consulting BH in order to verify his correct substitution in 4:11 of ועם־מדינות for LT's ועם מדינות, or of ידעים for LT's יודעים. (It is inconceivable that his misvocalization in Esth. 4:12 be attributed to B. M. Or. 2375, because Or. 2375 has an extended Targum separating Esth. 4:11 and 4:12. Furthermore, B. M. Or. 2375 does not exhibit ST's reading ידעים. The Shem-Ṭob Bible does read מָרְדֳּכָי, but see n. 9 above.)

109 The conjunctive accent on the word preceding אֶתְנַחְתָּא may only be מֻנַּח (Wickes, p. 73, and Cohen (above, n. 10), p. 66).

110 The C. D. Ginsburg Bibles of 1894 and 1926 preceded BH in the commission of this same error (*cf.* Jacob ben Ḥayyim's Bible, Ginsburg's basis, which exhibits the correct accentuation).

111 The word עָשׂוּ appears either without an accent (see n. 10 above) or else with the accent סלוק in the middle of a verse (see n. 12 above).

112 It must be noted that in Or. 2626–8 and Leningrad B19a it is often virtually impossible to distinguish the symbol מרכא from the symbol מתג (ᵪ): both appear as ᵪ. Thus, the distinction must be made on the basis of the presence or absence of a following מקף (־). With a מקף present, the symbol represents a מתג. But without the מקף, the ambiguous symbol must be interpreted as מרכא, which happens to be the regular conjunctive accent before מנח לגרמיה (| ֣) (Wickes, p. 120, and Cohen (above, n. 10), p. 66).

BH[113] exhibit the erroneous[114] accentuation וְהִנֵּה־חֹשֶׁךְ, although Or. 2626–8 and Leningrad B19a (and LT) properly read וְהִנֵּה־חֹשֶׁךְ.[115]

The most convincing example of a reading in ST appearing elsewhere only in BH is the error found in Eccl. 4:1. There, ST reads הָעֲשֻׁקִים | וְאֵין, with an extraneous[116] פסק (|), matching the misprint found only in BH.[117] Or. 2626–8, however, in addition to Leningrad B19a and LT, correctly reads הָעֲשֻׁקִים וְאֵין, without the intervening פסק. These and other[118] extraordinary coincidences strongly suggest that Snaith did indeed incorporate readings, at times even egregious errors, from Kahle's BH.

In conclusion, we have tried to show: (1) In matters of Masoretic spacing, vocalization, accentuation and use of the מתג, Snaith's citing of British Museum Manuscript Or. 2626–8 as his basis is misleading, in view of the divergence of that manuscript and Snaith's printed text in an extraordinary number of instances. (2) Snaith's claim that his text is independent of *Biblia Hebraica*[119] is in need of substantiation. (3) Snaith indicated his desired changes in a Letteris Bible which was not carefully checked to correct misprints and broken characters before it was submitted to the printer as the copy for Snaith's Bible. (4) The typesetter was not made aware of the importance of some distinctions in the placement of certain accents. (5) The proofreading was far below the caliber required for a project of this importance.

In the light of the above evidence, Snaith's edition must not be considered a reliable Masoretic text. It should therefore be noted that this

113 The first edition of Jacob ben Ḥayyim's Bible (see n. 47 above) preceded BH with this reading.

114 A קַדְמָא may appear on the same word as זָקֵף־קָטֹן only when the domain of the זָקֵף־קָטֹן is but a single word (i.e., when no פַּשְׁטָא, יְתִיב, or מֻנַּח precedes). See Wickes, p. 81, and Cohen, p. 42.

115 Apparently Snaith noticed this anomalous reading in BH while consulting BH's vocalization of the word immediately beneath והנה־חשך in BH, כַּעִוְרִים (Isa. 59:10), to confirm his correction of LT's variant כַּעִוְּרִים.

116 See n. 93 above.

117 Apparently, Snaith noticed the פסק in BH while he was consulting BH's reading of the previous word. As indicated by the Masoretic note in LT (למערבאי מלא ו׳ העשוקים "In western [recensions, the word is written] with a letter ו: העשוקים"), variant spellings of this word are found.

118 See also par. 13, and nn. 53, 59, 94, and 106 above.

119 Snaith, "New Edition" (above, n. 2), pp. 207 f.

Bible can no longer serve to substantiate Snaith's hypothesis[120] that the Ben Asher tradition "is to be found in the first hand of the best Sephardi [manuscripts]," although the hypothesis itself may still be true.[121]

Norman Henry Snaith has been a very demanding critic of Bible printings, as can be seen from his description of another scholar's Bible as "tragedy almost unrelieved."[122] We would hope that if he were to reexamine his own text in the light of our evidence, he would agree that much serious revision of his Bible is needed.

APPENDIX

The following list presents, in addition to the errors discussed previously, numerous errors of similar kinds, classified roughly according to the paragraph structure which was employed. This list, containing over 650 errors, is not intended to be exhaustive; only superficial examination of ST has been attempted. Nonetheless, the following list of multitudinous errors, which pervade every part of ST, can well serve to demonstrate the uniqueness of ST amongst printed Bibles.

When a citation includes words or expressions separated by a slash (/), the left-hand word or expression represents the reading of ST, while the reading on the right is the correct reading. A citation followed by *LT* indicates an erroneous reading for ST which resulted from the duplication of the reading in LT. Errors of pars. 2, 7, 8, 9, 12 are under the general categories. Errors of pars. 15 and 16 are omitted for brevity.

Par. 1 —Omissions of Accentuation

Gen. 8:21, 12:7, 18:5 (ויֽאמרו/ויאמרו), 28:12 (see par. 29), 44:13 (see par. 22), 48:5 (שני־/שני or שני); Exod. 26:1; Lev. 1:10 (מן־/מן$_2$) LT, 7:1 (see par. 29), 8:13, 14:9, 15:10, 22:5 LT, 24:3 (see par. 25); Num. 4:33 (see par. 29), 5:31 (see par. 22), 16:17, 20:11 (see par. 22), 20:21 (see par. 25), 24:9 (see par. 29), 25:8 (see par. 30), 31:50 (see par. 25), 35:1; Deut. 3:24

120 Snaith, "The Ben Asher Text" (above, n. *), p. 13.

121 *Cf.* Moshe Goshen-Gottstein, "The Rise of the Tiberian Bible Text," *Biblical and Other Studies I* (1963) p. 117, n. 123, and Paul E. Kahle, *The Cairo Geniza,* 2nd ed. (Oxford 1959), p. 140.

122 Norman H. Snaith, *"Hebrew Bible: Jerusalem Edition," Book List of the Society for Old Testament Study* (1954) 564.

(החלות/החלות), 22:16 (*cf.* par. 25), 24:7 (see par. 30), 29:28 (ולבנינו/ולבנינו) LT; Josh. 8:11 LT; Judg. 5:19 (see par. 29), 9:57, 18:22 (*cf.* par. 25 or 29); 1 Sam. 2:35; 1 Ki. 9:15 (ואת־$_5$/ואת), 10:2; 2 Ki. 14:11, 15:2 (see par. 29); Jer. 26:15 (*cf.* par. 29); Ezek. 4:8 LT, 7:4; Joel 1:10; Amos 6:1, 7:10 (see par. 29); Jon. 4:4; Nah. 3:15; Zech. 9:7, 9:13 (see n. 53), 14:20 (see par. 24); Prov. 10:5 LT; Job 42:16 LT; Cant. 2:1 LT, 2:6 LT; Ruth 1:22 (see par. 25); Lam. 2:13; Esth. 8:13 LT, 9:9 (פרמשתא/פרמשתא) LT, 9:13 (see par. 14), 9:22; Dan. 4:17, 4:28, 11:38 (*cf. par.* 22), 12:5; 1 Chron. 5:18 (see par. 25), 8:40 LT, 11:47; 2 Chron. 2:16, 36:14.

Par. 3 — Errors in Consonants

Gen. 2:14 (הוא$_1$/חוא), 27:33 (יצחק/יצהק), 31:20 (הוא/חוא); Lev. 25:35 (והחזקת/וחחזקת) LT; Num. 7:41 (אילם/אלים), 29:12 (לה׳/ליחוה); Esth. 4:7 (ביהודיים/ביחודיים — see n. 19).

Par. 4 — Errors in Masoretic Spacing

פ = פתוחה preceding, ס = סתומה preceding

(N.B. The right-hand reading, the reading of Or. 2626–8, may differ with printed editions.)

Exod. 12:1 (פ/ס) LT, 35:30 (ס/פ) LT, 38:1 (פ/ס) LT; Lev. 15:19 (ס/פ) LT, 22:26 (פ/ס) LT; Num. 3:40 (פ/ס) LT, 17:6 (ס/פ) LT; Deut. 19:11 (ס/פ) LT, 25:17 (ס/פ) LT, 29:1 (ס/פ) LT, 30:1 (פ/ס) LT, 30:11 (פ/ס) LT; Deuteronomy 32 (see par. 4, N.B. n. 22) LT; Judges 5 (see par. 4) LT; 2 Samuel 22 (see par. 4) LT; Jer. 38:28 (no space should precede והיה—see par. 4) LT.

Par. 5 — Errors in Critical Marks

(The nature of each of these errors is discussed in par. 5.) Gen. 33:4 LT, 37:12 LT; Num. 3:39 LT, 10:35f.; Ps. 27:13.

Par. 6 — Errors in Vocalization

Gen. 23:10 (בְּנֵי־חֵת$_1$/בְּנֵי־חֵת), 40:7 (בְּמִשְׁמַר/בְּמִשְׁמַר) LT; Exod. 6:11 (דַּבֵּר/דַּבֵּר) LT, 20:4 (מִתַּחַת$_1$/מִתַּחַת) LT, 29:27 (הַתְּנוּפָה/הַתְּנוּפָה), 33:23 (אֶת־/אֶת־$_1$) 37:21 (לְשֵׁשֶׁת/לְשֵׁשֶׁת); Lev. 1:15 (דָמוֹ/דָּמוֹ) LT, 26:41 (בְּקֶרִי/בְּקֶרִי); Num. 1:5 (בֶּן־/בֶּן־), 3:36 (וְכָל־כֵּלָיו/וְכָל־כֵּלָיו), 18:19 (אִתָּךְ/אִתָּךְ—see par. 9) LT, 34:9 (עֵינָן/עֵינָן—see n. 50); Deut. 8:16 (בַּמִּדְבָּר/בַּמִּדְבָּר), 11:10 (הַיָּרָק/הַיָּרָק), 19:21 (עֵינְךָ/עֵינֶךָ—see n. 50), 21:8 (אֲשֶׁר־פָּדִיתָ/אֲשֶׁר־פָּדִיתָ), 30:4 (וּמִשָּׁם/וּמִשָּׁם), 32:13

(וַיְנַקֵּהוּ/וַיְּנַקֵּהוּ—see n. 50); Judg. 9:51 (בְּתוֹךְ־/בְּתוֹךְ־) LT; 1 Sam. 16:5 (לְזִבְחַ/לְזִבֹּחַ—see n. 90); 2 Sam. 18:3 (לַעְזִיר/לַעֲזִיר), 21:12 (גִּלְעָד/גִּלְעָד), 21:12 (שָׁם/שָׁם—see par. 7), 21:19 (בְּגוֹב/בְּגוֹב); 1 Ki. 1:47 (הֵיךְ/—הֵיךְ—see par. 7)LT; 2 Ki. 17:8 (2 יִשְׂרָאֵל/יִשְׂרָאֵל); Isa. 40:31 (וְקוֹיֵ/וְקוֹיֵ—see par. 8) LT; Jer. 2:16 (וְתַחְפַּנְחֵס/וְתַחְפַּנְחֵס) LT, 3:5 (דִּבַּרְתְּי/דִּבַּרְתְּי), 27:12 (כְּכָל־הַדְּבָרִים/כְּכָל־הַדְּבָרִים); Hos. 1:1 (1 בֶּן־/בֶּן־), 11:10 (2 יִשְׁאַג/יִשְׁאָג—see par. 31), 12:14 (אֶת־יִשְׂרָאֵל/אֶת־יִשְׂרָאֵל); Mic. 1:8 (שִׁילָל/שִׁילָל) LT, 7:14 (בְּתוֹךְ/בְּתוֹךְ—see par. 23); Hab. 1:7 (מִמֶּנּוּ/מִמֶּנּוּ); Zech. 2:2 (אֶת־יִשְׂרָאֵל/אֶת־יִשְׂרָאֵל), 14:20 (הַמִּזְבֵּחַ:/הַמִּזְבֵּחַ:—see par. 24) LT; Ps. 150:2 (בִּגְבוּרֹתָיו/בִּגְבוּרֹתָיו—see par. 27) LT, 150:5 (בְּצִלְצְלֵי־/בְּצִלְצְלֵי־—see par. 27) LT; Esth. 4:12 (לְמָרְדֳּכָי/לְמָרְדֳּכָי—see par. 32, N.B. n. 108), 9:9 (פַּרְמַשְׁתָּא/פַּרְמַשְׁתָּא); Ezra 2:2 (מָרְדֳּכַי/מָרְדֳּכַי—see par. 32, N.B. n. 108), 2:63 (לָהֶם/לָהֶם) 1 Chron. 8:28 (בִּירוּשָׁלָם/בִּירוּשָׁלָם—see par. 27) LT; 9:18 (הַשְּׁעָרִים/הַשְּׁעָרִים); 2 Chron. 2:17 (וּשְׁמֹנִים/וּשְׁמֹנִים), 3:5 (בְּרוֹשִׁים/בְּרוֹשִׁים—see par. 27) LT, 4:12 (שְׁנַיִם/שְׁנַיִם), 4:22 (הַקֳּדָשִׁים/הַקֳּדָשִׁים—see n. 53), 36:5 (בִּירוּשָׁלָם/בִּירוּשָׁלָם—see par. 22).

Par. 10—Errors in Accentuation

INCORRECT ACCENT IN PLACE OF סִלּוּק

Gen. 24:2 LT; Num. 7:73 LT, 32:40 LT; Deut. 14:29 LT; Ezek. 13:8 LT; Hos. 9:5 (see par. 23); Ruth. 3:15 (see par. 23).

INCORRECT מֵרְכָא IN PLACE OF טִפְחָא

Gen. 37:1 LT; Num. 8:24, 26:59 LT; Deut. 30:16 LT; Lam. 4:21 LT; Eccl. 7:29 LT; Esth. 2:7 LT.

INCORRECT טִפְחָא IN PLACE OF מֵרְכָא

Num. 26:59 LT; Deut. 30:16 LT; Josh. 8:11 (see par. 27) LT; Amos 9:15 LT; Eccl. 8:15 LT.

INCORRECT מֵרְכָא IN PLACE OF תְּבִיר

Exod. 13:14 LT; 2 Ki. 15:21; Ezek. 8:5 (see par. 30); Obad. 1:10; Lam. 4:4; Esth. 9:29 LT.

INCORRECT תְּבִיר IN PLACE OF מֵרְכָא

Exod. 13:14 LT, 22:13 LT; Lev. 21:15 LT; Num. 25:18 LT; Jer. 27:12; Esth. 5:13 LT.

Incorrect מרכָא in Place of מנַח

Gen. 15:10, 19:20, 34:4, 41:5, 49:14 LT; Exod. 1:18, 15:7 (see par. 32), 22:4 LT, 29:27 LT, 38:2; Lev. 10:15 LT, 10:19; Num. 1:18, 20:17, 28:8, 32:29 LT; Judg. 19:23, 19:30; 1 Sam. 2:1 LT; 2 Sam. 2:6, 11:2, 17:6; 1 Ki. 18:32; 2 Ki. 1:12; Isa. 7:20; Jer. 4:22; Ezek. 2:6 LT; Jon. 4:6; Zeph. 1:11; Hag. 2:9, 2:21; Mal. 3:21 (see par. 29); Cant. 8:10; Ruth 4:11; Dan. 2:9; Neh. 9:7; 1 Chron. 11:22; 2 Chron. 2:3, 2:7, 3:12 LT, 4:4 (two errors), 36:23 LT.

Incorrect מנַח in Place of מרכָא

Gen. 9:17 (see par. 23), 41:45 (*cf.* par. 27, N.B. n. 96) LT, 45:22 LT; Exod. 21:24 LT; Lev. 1:10; Num. 5:18 (see par. 27) LT, 5:21 (see par. 27) LT, 5:30 (see par. 23), 6:20 (*cf.* n. 96) LT, 22:20 (*cf.* n. 96) LT; Isa. 7:13, 20:3; Jer. 2:9, 4:2 LT, 5:28 (see par. 31); Ezek. 11:13 (*cf.* par. 23), 48:29 LT; Amos 6:10; Mic. 7:20 LT; Eccl. 1:12, 7:8, 12:9; Ezra 2:63; Neh. 1:4 LT; 2 Chron. 4:4 (see par. 23).

Incorrect מנַח in Place of מהפָך

Exod. 30:35 LT, 36:30 (see par. 31), 40:24 LT; Num. 1:32 LT, 7:41 (אילִם/אלִם) LT; Mic. 7:16; 2 Chron. 2:3 LT, 3:15 (see par. 29).

Miscellaneous Interchanges

Gen. 39:6 (₁ יוסֵף/יוסף֒), 47:24 (השדָה/השדֶה) LT; Exod. 1:16 (את־הָעבריּ֔ות/את־הָעבריּ֔ות) LT, 2:18 (ותבֹ֙אנה/ותבֹ֙אנה), 5:7 (יִלְכ֗ו/יֵלְכ֗ו) LT, 5:14 (עלהֶ֗ם/עלהֶ֗ם) LT, 16:10 (ויהִ֗י/ויהִ֗י), 26:32 (₂ זהָ֑ב/זהָב); Lev. 11:10 (בימִ֑ים/בימִים) LT, 20:24 (אתֶּ֗ם/אתֶּ֜ם); Num. 5:20 (ויתֵּ֨ן/ויתֵּן), 11:31 (כדֶרך/כדֶ֤רך) LT, 12:16 (נסְעו/נסֶעו); Deut. 5:8 (לֹ֣א־תעשֶׂה־/לֹא־תעשֶׂה־), 13:1 (אֵת/אֵ֣ת) LT, 27:9 (אֶל־/אַל־ —see par. 30); Josh 2:9 (הָאָרץ/הָאָ֖רץ) LT, 23:13 (תֵּדעוּ/תֵּ֣דעוּ) LT; Judg. 6:2 (עָשׂוּ/עָשֽׂוּ —see par. 32); 1 Sam. 8:13 (יִקָּח/יקָּ֖ח —see par. 30), 13:21 (ולהקרדֻ֑מִּים/ולהקרדֻ֑מִּים) LT; 2 Sam. 19:12 (צדֹוק/צדוק) LT; 1 Ki. 11:40 (₁ ירבעָ֗ם/ירבעָם) LT; 2 Ki. 8:12 (חזאֵ֔ל/חזאֵ֔ל) LT; Isa. 1:10 (עם־/עַם) LT; Jer. 27:12 (בעַל/בעַל | —see par. 27), 38:4 (דֹּרֵשׁ/דֹּרֶשׁ) LT; Ezek. 3:7 (בית/בֵּית or בית־), 10:4 (מְלאָה/מָלאָ֔ה) LT, 10:7 (לבֻשׁ/לבֻ֣שׁ) LT, 37:2 (₂ סביב/סָבִ֑יב) LT, 43:11 (₂ וכל־צורתו/וכל־צורתָו) LT; Hos. 5:1 (ישראֵ֔ל/ישראֵ֔ל) LT; Amos 2:1 (ה֛/ה֜) LT, 8:10 (חגיכֶ֗ם/חגיכֶ֜ם); Zech, 7:13 (אשמָ֔ע/אשמָ֑ע—see par. 29), 14:21 (וביהודָ֔ה/וביהודָ֔ה) LT; Mal. 1:6 (₁ אָני/אָ֔ני) LT, 1:11 (כִּי/כִּ֣י—see par. 27) LT, 3:19 (עֹשֵׂה/עֹ֥שֵׂה—see par. 23); Ps. 41:6 (לִי/לִ֑י) LT; Eccl. 9:3 (₂ רָע/רָ֔ע) LT,

11:3 (ימלאו/ימלאו) LT, 11:3 (העבים/העבים) LT; Esth. 2:14 (אל־המלך/אל־המלך —see par. 23), 3:12 (ומדינה/ומדינה ₁) LT, (ותשם/ותשם) LT; Dan. 11:38 (יכבד/יכבד ₂), 12:2 (עפר/עפר) LT; Neh. 9:6 (עשית/עשית) LT, 9:7 (אתה־/אתה) LT; 1 Chron. 11:18 (אתם/אתם) LT; 2 Chron. 4:6 (עשרה/עשרה).

MISPLACED ACCENTUATION (יתיב/מהפך and קדמא/פשטא, see below)
Gen. 43:7 (לנו/לנו—see par. 30); Num. 14:38 (בן־נון/בן־נון), 14:38 (ההם/ההם); Judg. 5:5 (נזלו/נזלו), 19:21 (רגליהם/רגליהם) Ezek. 6:3 (ולגיאות/ולגיאות) LT, 6:8 (בהזרותיהם/בהזרותיהם); Jon. 4:8 (ותך/ותך); Zech. 6:3 (ובמרכבה/ובמרכבה) LT; Esth. 8:9 (ושרי/ושרי) LT; Ezra 1:4 (מקמו/מקמו); 1 Chron. 5:18 (וגדי/וגדי), 11:13 (עם־דויד/עם־דויד); 2 Chron. 4:22 (דלתותיו/דלתותיו) LT, 4:22 (הקדשים/הקדשים—see n. 53), 36:18 (וכל/וכל), 36:18 (כלי/כלי).

EXTRANEOUS ACCENTUATION

Gen. 1:2 (על־/על־); Exod. 20:2 (אשר/אשר) LT, 20:2 (הוצאתיך/הוצאתיך) LT, 20:2 (מארץ/מארץ) LT, 20:2 (מצרים/מצרים) LT, 30:7 (בבקר/בבקר ₁—see par. 31), 36:32 (לירכתים/לירכתים); Deut. 5:6 (אשר/אשר) LT, 5:6 (הוצאתיך/הוצאתיך), 5:6 (מארץ/מארץ), 5:6 (מצרים/מצרים), 5:11 (את־שם־/את־שם־), 5:11 (ה׳/ה׳ ₁), 5:14 (ובנך־/ובנך־), 5:27/24 (את/את—see par. 31); Judg. 6:24 (ה׳/ה׳ |—see par. 26) LT; 1 Sam. 29:4 (וישב/וישב see par. 26) LT; 2 Sam. 18:9 (תחת/תחת); Isa. 15:3 (על־/על־) LT; Ezek. 13:10 (לאמר/לאמר —see par. 26) LT; Zech. 6:2 (הראשנה/הראשנה—see par. 29), 9:13 (על־/על־ —see n. 53); Eccl. 4:1 (העשקים/העשקים | ₂—see par. 32); Esth. 3:15 (נבוכה:/נבוכה:) LT, 9:13 (אשר/אשר—see par. 14); 1 Chron. 5:40 (ועזריה/ועזריה).

Par. 11 — Misplacement of יתיב/מהפך *Symbol* (˂)
AMBIGUOUS SYMBOL IN PLACE OF יתיב (X/X)
Gen. 3:15 LT, 4:10 LT, 21:18 LT, 45:26 LT; Lev. 5:2 LT, 11:20, 17:3; Num. 30:7 LT; Deut. 1:4 LT; 1 Ki. 4:13; Jer. 6:5 LT; Hos. 14:2 LT; Jon. 1:6; Zech. 8:20 LT, 14:21 LT.

AMBIGUOUS SYMBOL IN PLACE OF מהפך (X/X)
Gen. 19:19, 19:22, 32:26, 34:14, 47:18; Exod. 12:31, 20:7, 23:21, 24:3, 28:4, 28:17, 29:20, 30:18; Lev. 5:23, 10:7, 21:20, 26:1; Deut. 1:17, 5:11; Josh. 22:8, 24:19; Judg. 2:19; 1 Sam. 6:9, 8:7, 28:20, 29:8, 29:11; 1 Ki. 5:17; 2 Ki. 19:32; Isa. 5:6, 47:1, 66:6; Jer. 31:4 LT, 32:18; Ezek. 3:6, 3:7,

3:11, 3:20, 6:10, 13:5, 24:7; Hos. 5:4, 5:13; Mic. 1:11; Zeph. 1:10; Zech. 1:4, 4:6, 8:4.

Incorrect יְ֚תיב in Place of מהפָּ֤ך (X֤/X֚)
On the word כֹּה:
Exod. 3:14, 19:3; Num. 20:14, 22:16; 1 Sam. 11:9, 14:9, 15:2; Isa. 30:12; Jer. 6:6, 6:9, 9:6, 50:33; Ezek. 5:5, 5:8, 12:28, 13:3, 13:8, 13:13, 14:6, 15:6, 16:59, 20:3, 20:30, 22:19, 23:28, 23:32, 23:35, 24:9, 25:12, 26:3, 27:3, 35:3, 36:37, 43:18; Amos 3:11, 5:3, 7:1, 7:4; Hag. 2:6; Zech. 1:4, 1:17, 8:2, 8:4, 8:6, 8:7; Mal. 1:4.

On other words:
Gen. 8:21, 9:12, 9:17, 11:31, 19:14; Exod. 21:20, 28:15, 29:20; Lev. 1:3, 7:8, 8:21, 8:23, 11:2, 12:7, 13:59, 14:2, 14:10, 14:17, 14:22, 14:28, 17:9, 22:22, 25:49; Num. 11:8, 14:24 LT, 15:6, 15:14, 20:12, 23:18, 28:12 (two errors), 28:13, 31:8, 31:26; Deut. 4:12, 14:21, 20:1, 22:1, 22:4, 28:49, 30:20, 31:16, 31:21, 34:4; Josh. 1:16, 2:11, 13:12, 13:21; Judg. 1:19; 1 Sam. 2:14, 28:23; 1 Ki. 1:9, 5:25; 2 Ki. 3:11, 15:19; Isa. 1:13, 2:4, 5:12, 5:20, 6:8, 7:8, 8:9, 20:1, 42:4; Jer. 2:3, 2:8, 4:18, 4:19, 5:15, 7:34, 49:23, 52:4; Ezek. 3:18, 5:7 (יַ֚עַן/יַ֤עַן) LT; 8:9, 9:1, 23:32, 42:20; Hos. 5:4, 7:13; Joel 2:2 (two errors), 4:13; Amos 4:4; Jon. 4:8; Zech. 5:6; Mal. 2:11; Prov. 24:24 (אֹ֤מֵר׀/אֹמֵ֤ר׀); Cant. 7:1; Ruth 1:12, 2:11, 2:14, 3:7, 4:13; Lam. 3:25, 3:26, 4:15, 4:20; Eccl. 1:4 LT; 1 Chron. 11:15, 11:20; 2 Chron. 1:3, 21:16.

Incorrect מהפָּ֤ך in Place of יְ֚תיב (X֚/X֤)
Jer. 13:6 LT.

Par. 13 — Errors in Use of the Penultimate פשטא֙

Exod. 32:23 (הֶעֱלָ֙נוּ֙/הֶעֱלָנוּ֙), 33:16; Lev. 9:4 (לִזְבֹּ֙חַ֙/לִזְבֹּחַ֙) LT; Deut. 6:23, 6:24, 15:20, 26:9, 29:26 (עָלֶ֙יהָ֙/עָלֶיהָ֙); Josh. 22:23; Judg. 19:25; 1 Ki. 9:19 (בִּירוּשָׁלִַ֙ם֙/בִּירוּשָׁלִַם֙); Ezek. 3:25, 43:13 and 43:26 (הַמִּזְבֵּ֙חַ֙/הַמִּזְבֵּחַ֙) LT; Hos. 1:1 (הוֹשֵׁ֙עַ֙/הוֹשֵׁעַ֙) LT; Joel 1:11, 1:13, 4:17; Amos 8:11; Zech. 5:4, 8:3; Mal. 1:8 (לִזְבֹּ֙חַ֙/לִזְבֹּחַ֙) LT, 1:13 (וְאֶת־הַפִּסֵּ֙חַ֙/וְאֶת־הַפִּסֵּחַ֙) LT, 3:1; Cant. 2:7, 2:15, 3:5.

Par. 14 — Misplacement of קדמא/פשטא *Symbol* (֨)

Exod. 9:27 (ויקרא/ויקרא) LT; Lev. 8:22 (ויקרב/ויקרב—see par. 12) LT; Num. 20:8 (והוצאת/והוצאת), 21:23 (ולא־נתן/ולא־נתן—see par. 12) LT; Deut. 5:14 (ושורך/ושורך), 9:17 (ואתפש/ואתפש) LT, 15:18 (בשלחך/בשלחך), 28:13 (ונתנך/ונתנך), 29:3 (ה׳/ה׳—see par. 12) LT; 1 Sam. 29:6 (צאתך/צאתך); 2 Sam. 11:11 (אדני/אדני—see par. 12) LT; Ezek. 8:10 (ובהמה/ובהמה) LT; Amos 6:1 (נקבי/נקבי) LT; Zech. 8:4 (ישבו/ישבו); Cant. 1:16 (הנך/הנך); Eccl. 8:17 (החכם/החכם); Esth. 2:17 (ויאהב/ויאהב—see par. 12) LT; Ezra 1:4 (ינשאוהו/ינשאוהו) LT; 1 Chron. 16:20 (ויתהלכו/ויתהלכו).

Par. 17 — Errors in Use of the מתג (ֽ)

Exod. 3:10 (וְאֶשְׁלָחֲךָ/וְאֶשְׁלָחֲךָ) LT, 12:50 (וַיַּעֲשׂוּ/וַיַּעֲשׂוּ) LT, 21:22 (וְנָגְפוּ/וְנָגְפוּ), 33:11; Deut. 7:13; Judg. 9:6; 1 Sam. 7:2 (יִשְׂרָאֵל/יִשְׂרָאֵל); 2 Ki. 22:13 (לֹא־שָׁמְעוּ/לֹא־שָׁמְעוּ), 22:19, 23:3; Jer. 1:15 (וְנָתְנוּ/וְנָתְנוּ), 38:25 (וְאָמְרוּ/וְאָמְרוּ), 52:4 (וַיִּחֲנוּ/וַיִּחֲנוּ) LT; Ezek. 5:13 (וְיָדְעוּ/וְיָדְעוּ), 5:15, 8:17 (כִּי־מָלְאוּ/כִּי־מָלְאוּ), 35:15, 43:20; Hos. 1:4; Amos 6:9, 9:3; Job 1:15, 1:16, 1:17, 1:19.

Par. 18 — Errors in Marginal Markings

(The nature of each of these errors is discussed in par. 18.) Exod. 1:1 LT; Num. 4:36; Deut. 5:21/18, 19:2; Josh. 22:28; Jer. 36:17, 36:18; Ps. 150:2,3,4,5,6.

Par. 19 — Misprints in Masoretic Footnotes

(The nature of each of these errors is discussed in par. 19.) Gen. 14:2; Exod. 28:21; Lev. 16:8 LT; 1 Sam. 20:18; 2 Sam. 21:12 LT; Isa. 44:9 LT; Ezek. 30:16 LT; Neh. 7:68, 7:68.

Par. 20 — Divergence of Masoretic Footnotes and Or. 2626–8

(The nature of each of these errors is discussed in par. 20.) Lev. 10:16; Josh. 21:36, 37 LT.

Par. 21 — Divergence of Masoretic Footnotes and ST

(The nature of each of these errors is discussed in par. 21.) Gen. 16:5; Deut. 29:28 LT; Ps. 27:13 LT.

PERSPEKTIVEN DER ERFORSCHUNG DES HELLENISTISCHEN JUDENTUMS

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Karl Heinrich Rengstorf zum siebzigsten Geburtstag

EINE Überschau[1] über Situation und Aufgaben der Erforschung des hellenistischen Judentums ist notwendig begrenzt schon durch das Gesichtsfeld des Autors, der einmal die Fülle des von anderen Erarbei-

1 Nachstehende Titel werden im folgenden abgekürzt angeführt:

CIJ = Frey, Jean-Baptiste, *Corpus Inscriptionum Iudaicarum* I (1936); II (1952).

CPJ = Tcherikover, V. A. — Fuks, A. [— Stern, M.], *Corpus Papurorum Judaicarum* I (1957); II (1960); III (1964).

Denis, Albert-Marie, *Fragmenta pseudepigraphorum quae supersunt Graeca*, Pseudepigrapha Veteris Testamenti Graece 3 (Leiden, 1970), S. 45–246.

Denis, Albert-Marie, *Introduction aux pseudépigraphes grecs d'Ancien Testament* (Leiden, 1970).

Goodenough, Erwin R., *Jewish Symbols in the Greco-Roman Period* I–XIII (New York, 1953–1968).

Hadas, Moses, *Hellenistic Culture. Fusion and Diffusion* (New York, 1959; deutsch Stuttgart, 1963).

Hengel, Martin, *Judentum und Hellenismus. Studien zu ihrer Begegnung unter besonderer Berücksichtigung Palästinas bis zur Mitte des 2. Jh. v. Chr.* (Tübingen, 1969).

RAC = *Reallexikon für Antike und Christentum* (Stuttgart, 1950ff.).

Schürer, Emil, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* I–IV (Leipzig, 41901–1911).

Tcherikover, Victor, *Hellenistic Civilization and the Jews* (Philadelphia-Jerusalem, 31966).

ThWNT = *Theologisches Wörterbuch zum Neuen Testament*, begr. von Gerhard Kittel, hrsg. von Gerhard Friedrich (Stuttgart, 1933ff.).

Walter, Nikolaus, *Der Thoraausleger Aristobulos. Untersuchungen zu seinen Fragmenten und zu pseudepigraphischen Resten der jüdisch-hellenistischen Literatur* (Berlin, 1964).

Siglen für Zeitschriften:

HThR = *Harvard Theological Review.*

HUCA = *Hebrew Union College Annual.*

JBL = *Journal of Biblical Literature.*

JQR = *Jewish Quarterly Review.*

JSJ = *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Periods.*

JThS = *Journal of Theological Studies.*

NTS = *New Testament Studies.*

teten nur in Ausschnitten kennt, der sodann Gegenstände, Ergebnisse und Ziele der Forschung in einem bestimmten Blickwinkel sieht (überdies wäre es aus Raumgründen unmöglich, über die dem Verfasser dieses Aufsatzes zugängliche Literatur auch nur der letzten zwei Jahrzehnte zu referieren). Darüber hinaus werden wir drei große Sektoren der Erforschung des hellenistischen Judentums überwiegend beiseite lassen; wir beziehen sie teilweise ein, sofern sie für den Gesamtbereich unmittelbar von Bedeutung sind. Es handelt sich dabei um die Septuaginta im spezifischen Sinn, also um die Septuaginta als Übersetzungsliteratur, sowie um Philon und Josephus. Wenn wir diese Sektoren hier zurückstellen, so ist das deshalb tragbar, weil sie bereits von anderer Seite zusammenfassend in den Blick genommen wurden oder werden. Das erste gilt für die Septuaginta, für die auf die vor wenigen Jahren erschienene große Überschau über die Forschungslage von S. Jellicoe[2] verwiesen werden kann; große Linien künftiger Aufgaben der Arbeit im Bereich der Septuaginta sind mit der Gründung der International Organization for Septuagint and Cognate Studies (IOSCS) gezogen, an der Dean Jellicoe wesentlich beteiligt ist.[3] Für Philon ist—neben einer fortlaufend geführten Bibliographie[4]—Entsprechendes in den Studia Philonica begonnen, mit denen uns ein eigenes Jahrbuch für den Alexandriner gegeben ist;[5] hier werden Stand[6] und Aufgaben[7] der Philon-Forschung von speziell Sach-

2 Sidney J., *The Septuagint and Modern Study* (Oxford, 1968). Weiterhin siehe für die letzte Zeit den Bericht von J. W. Wevers, "Septuaginta Forschungen seit 1954," *Theologische Rundschau* 33 (1968), S. 18–76. Weiter siehe Sebastian P. Brock — Charles T. Fritsch — Sidney Jellicoe, *A Classified Bibliography of the Septuagint* (Leiden, 1973).

3 Vgl. zu dem Unternehmen als ganzem R. A. Kraft, "Jewish Greek Scriptures and Related Topics," *NTS* 16 (1969/70), S. 384–396, zu den Arbeitsvorhaben C. T. Fritsch, "The Future of Septuagint Studies," *IOSCS Bulletin* 3 (1970), S. 2.4–8. Neuestens siehe Fritsch, "The International Organization for Septuagint and Cognate Studies," *JSJ* 3 (1972), S. 1–6.

4 E. Hilgert, "A Bibliography of Philo Studies, 1963–1970," *Studia Philonica* 1 (1972), S. 57–71.

5 Beides durch The Philo Institute, 800 West Belden Avenue, Chicago, Illinois 60614, USA; die bibliographischen Arbeiten werden durch Prof. E. Hilgert durchgeführt.

6 Einen Forschungsbericht zu dem dort behandelten Thema bietet schon der in Anm. 7 zu nennende Aufsatz von Hamerton-Kelly, spez. S. 4–13. Vgl. auch die "Abstracts of Selected Articles on Philo, 1966–1970," *Studia Philonica* 1 (1972), S. 72–91.

7 Für den Arbeitsplan des Philo Institute ist insbesondere die Untersuchung der Philonischen Texte auf ihre Quellen hin vorgesehen; siehe R. G. Hamerton-Kelly, "Sources and Traditions in Philo Judaeus: Prolegomena to an Analysis of His Writings," *Studia Philonica* 1 (1972), S. 3–26. Die Lösung dieser Aufgabe verspricht wichtige Ergebnisse für die Geistes- und Religionsgeschichte des hellenistischen Judentums insgesamt.

kundigen dargestellt.[8] Für Josephus ist jetzt sowohl eine umfassende, chronologisch geordnete, teilweise auch referierende Bibliographie zur Verfügung, die zunächst als Grundlage für eine Geschichte der Josephus-Forschung gedacht war,[9] wie eine thematisch angelegte, kritisch berichtende zunächst für die Zeit von 1937–1962,[10] deren Ergänzung und Fortführung für 1937–1972 in Aussicht gestellt ist;[11] Prof. Feldman hat sich überdies mit Erwägungen zu Aufgaben befaßt, die speziell im Bereich der Josephus-Forschung zu lösen sind.[12]

Eine dritte Begrenzung ist schließlich in der Überschrift dieses Aufsatzes durch das—freilich umstrittene[13]—Stichwort "hellenistisches Judentum" angedeutet. Wir behalten es hier bei als Sigle für die Judenschaft der hellenistisch-römischen Zeit, die in ihrem Alltag ausschließlich oder ürberwiegend[14] die griechische Sprache (meistens in der Gestalt der Koinē ihrer jeweiligen Umwelt) gebrauchte, die insbesondere ihre Bibel in griechischer Übersetzung las beziehungsweise verstehend hörte.[15] Der Grad ihres Anteils an der hellenistischen Kultur überhaupt dürfte zumindest weithin von dem Anteil ihrer Umgebung an dieser mitbestimmt sein;[16] weithin bejahte sie bewußt die hellenistische Zivilisation und

8 Übrigens sind Desiderata der Philon-Forschung auch bereits anderweit notiert worden; vgl. etwa die Andeutungen bei Louis Feldman, *Scholarship on Philo and Josephus (1937–1962)* (New York, o. J.), S. 25f.

9 Heinz Schreckenberg, *Bibliographie zu Flavius Josephus* (Leiden, 1968), spez. S. 11.

10 Oben Anm. 8.

11 Prof. Feldman brieflich.

12 Vgl. schon die Andeutungen bei Feldman, *Scholarship* (oben Anm. 8), S. 54.

13 Vgl. beispielsweise M. Smith, "Palestinian Judaism in the First Century," in: Moshe Davis (ed.), *Israel: Its Role in Civilization* (New York, 1956), S. 67–81, spez. 68; Hengel, *Judentum*, S. 1f. und besonders 191–195: "Das Judentum Palästinas als 'hellenistisches Judentum'"; bei Hengel weitere Literatur zum Thema. Siehe schon die Bemerkungen bei Erwin R. Goodenough, *The Theology of Justin Martyr* (Jena, 1923), S. 33, der dann freilich das palästinische Judentum als Judaism proper bezeichnet (ebd.). Noch F. Perles, "Die jüdisch-griechische Episode," *Der Jude* 4 (1919), S. 176–181, Nachdruck in: Kurt Wilhelm (Hrsg.), *Wissenschaft des Judentums in deutschen Sprachbereich* I (Tübingen, 1967), S. 141–146, stellt dagegen den Unterschied zwischen palästinischem und alexandrinischem Judentum scharf heraus; das letztere beurteilt er in seinem interessanten Aufsatz negativ.

14 Dabei sind Abstufungen denkbar; eingeschlossen ist beispielsweise die Möglichkeit, daß sie neben dem Griechischen im Verkehr mit den Einheimischen auch die Landessprache benutzte. Hier wird einer der wesentlichen Unterschiede gegenüber der Situation in Palästina sichtbar. Dort ist die Landessprache der Judenschaft eigentümlich.

15 Im Unterschied insbesondere zur Diaspora Babylons.

16 Denkbar ist es jedoch auch, daß die Judenschaft eines Ortes auf Grund

Kultur.[17] Daß wir das hellenisierte Judentum Palästinas[18] nicht berücksichtigen, hat zunächst einfach technische Gründe; tatsächlich ergeben sich für diese Judenschaft wohl Gemeinsamkeiten mit der in der "Zerstreuung" lebenden, aber doch auch Probleme besonderer Art, die nicht ohne weiteres in einem Atem mit denen zu erörtern sind, die das hellenistische Judentum der Diaspora angehen.[19] Im übrigen ist nicht zu vergessen, daß die Judenschaft der Diaspora weithin in ständigem, wenn auch gewiß verschieden intensivem Kontakt mit der palästinischen steht; wir kommen darauf am Schluß noch einmal zurück.

I

Wir haben noch keine eigenständige "Geschichte des hellenistischen Judentums," die etwa in Längsschnitten deren Sachbereiche insgesamt behandelte.[20] Gewiß gibt es bestimmte Ansätze für Darstellungen der Geschichte der jüdischen Diaspora[21] beziehungsweise ihrer Entstehung[22] oder ihres kulturellen,[23] geistigen, wirtschaftlichen,[24] sozialen[25] Lebens,[26] nicht zuletzt ihrer Religion.[27] Aber ein umfassendes Handbuch fehlt. Es ist nicht etwa unsere Absicht, im folgenden den Plan eines solchen zu entwerfen; vorerst sind nur Aufgabengebiete der Erforschung des

bestimmter Kontakte nach außerhalb oder etwa durch Zuzug zum Träger hellenistischer Zivilisation in ihrer Wohnheimat wird.

17 So ausdrücklich der toratreue Jude Philon, siehe Gai 147. Philon schätzt die "enkyklische" Bildung hoch. Er besucht des öfteren das Theater, ebr 177 (die Juden in Milet haben feste Theaterplätze, *CIJ* II 748).

18 Vgl. unten S. 148, 162.

19 Für die Zeit bis zur Mitte des 2. Jahrh. v. C. wurden sie erst vor kurzem in einer umfänglichen Monographie behandelt: Hengel, *Judentum*.

20 Bereits Schürer hat die Aufgabe gesehen, *Geschichte* III (1909), § 31: "Das Judentum in der Zerstreuung. Die Proselyten" (S. 1–187); § 33: "Die hellenistisch-jüdische Literatur" (S. 407–716).

21 Vgl. Tcherikover, *Civilization*, S. 269–295.

22 Vgl. etwa Salo Wittmayer Baron, *A Social and Religious History of the Jews* I (New York, ²1952), S. 167–179.

23 Vgl. Tcherikover, *Civilization*, S. 344–377.

24 *CPJ* liefert vielfältiges Material über die Rolle der Juden im ägyptischen Wirtschaftsleben. Beiläufig erfahren wir aus einer Liste von Ziegellieferungen (3. Jahrh. v. C.), daß eine solche am Sabbat unterblieb (*CPJ* I, Nr. 10,6).

25 Tcherikover, *Civilization*, S. 333–343: Economics and Society.

26 Baron, *History* (oben Anm. 22) I, S. 183–209; 259–284; vgl. noch II, 3–26. Zahlreiches noch nicht voll ausgewertetes Material zu der gesellschaftlichen Situation des Judentums in der Diaspora ist gesammelt bei Jean Juster, *Les Juifs dans l'Empire romain. Leur condition juridique, économique et sociale* I (Paris, 1914).

27 Vgl. etwa H. Hegermann, "Das hellenistische Judentum," in: J. Leipoldt — W. Grundmann (Hrsg.), *Umwelt des Urchristentums* I (Berlin, 1965), S. 298–303. 307–345.

hellenistischen Judentums zu umreißen, deren Zusammengehörigkeit unter dem Aspekt einer Geschichte des hellenistischen Judentums freilich besonders sichtbar wird.

Eine grundlegende Aufgabe (sie deutete sich schon an) ist wohl eine Darstellung der Entstehung[28] und der politischen[29] und sozialen[30] Entwicklung der Diaspora. Material für die Geschichte ihrer Ausbreitung bieten zunächst die Notizen über die Ansiedlung von Juden durch hellenistische Herrscher,[31] auch wenn diese kritisch zu verwenden sind; weiterhin Inschriften und archäologische Funde überhaupt; für die Ausbreitung der Judenschaft in Ägypten und ihre Geschichte bedeuten die Papyri als Originalurkunden eine wertvolle Hilfe, zumal die datierten oder ungefähr datierbaren. Wir brauchen die sonstigen Quellen der politischen Geschichte des Judentums in der hellenistisch-römischen Diaspora nicht aufzuführen, zu denen etwa auch indirekte Aussagen der religiösen Literatur gehören. Insgesamt muß versucht werden, die einzelnen geographischen Bezirke[32] je in historischer Ordnung zu behandeln (soweit das der mitunter schmale Quellenbestand zuläßt); das gilt nicht nur für die politische Geschichte der Judenschaft, sondern auch für die seiner kulturellen Entwicklung. Über die Judenschaft Roms

28 Vgl. bereits Schürer, *Geschichte* III, § 31 I (S. 2–70). Zu dem hier benutzten vielfältigen Quellenmaterial ist weiteres gekommen. Vgl. schon oben Anm. 22.

29 Über den Status der Juden in der Polis, zum Beispiel in Alexandria, ist vielfach gearbeitet worden, ohne daß ein einhelliges Urteil erreicht worden wäre. Im Blick auf die Stellung der Juden in der Diaspora überhaupt werden etwa die von Josephus angeführten Dokumente teilweise recht verschieden bewertet; der gesamte Fragenkomplex wäre von einem speziellen Kenner des antiken Staatsrechts zu untersuchen.

30 Neuere Arbeiten zur Wirtschafts- und Sozialgeschichte des hellenistisch-römischen Bereichs gäben, auch wenn sie auf das Judentum nicht besonders eingehen, den Hintergrund beziehungsweise den Rahmen für eine solche Darstellung. Immerhin siehe Michael Rostovtzeff, *Gesellschafts- und Wirtschaftsgeschichte der hellenistischen Welt* III (Darmstadt, 1956), S. 1487 s. v. Juden (englische Ausgabe Oxford, 1941); allgemein Ders., *Gesellschaft und Wirtschaft im römischen Kaiserreich* I.II (Leipzig, o. J. [wohl 1930]); speziell Tcherikover oben Anm. 25.

31 Ein Exempel dafür gibt A. Schalit, "The Letter of Antiochus III to Zeuxis Regarding the Establishment of Jewish Military Colonies in Phrygia and Lydia," *JQR* 50 (1959/60), S. 289–318, der Jos, ant 12,148–153 im Rahmen der Zeitgeschichte analysiert.

32 Bereits Schürer, *Geschichte* III, S. 2–70 ist bemüht, den chronologischen und den geographischen Gesichtspunkt zu verbinden. Die Geschichte der Judenschaft einer Stadt hat C. H. Kraeling, "The Jewish Community at Antioch," *JBL* 51 (1932), S. 130–160 skizziert. Für Ägypten siehe Tcherikover, *CPJ* I, S. 1–93; kritisch dazu Y. Gutman in seiner Rezension *JQR* 50 (1959/60), S. 279–285, spez. 282–285. Für Kleinasien siehe jetzt A. Thomas Kraabel, *Judaism in Western Asia Minor under the Roman Empire* (erscheint in Studia Post-Biblica; ursprünglich Diss. theol. Cambridge, Mass. 1968).

ist schon mehrfach eingehender gearbeitet worden;[33] aber auch hier ist noch mancherlei zu tun—so etwa muß versucht werden, die verschiedenen Berichte über Vertreibungen von Juden aus Rom von ihrem geschichtlichen Rahmen her zu erhellen.[34]

Was die im Original auf uns gekommenen Quellen anlangt, so sind die Papyri in einer glücklichen Weise aufgearbeitet, einschließlich Kommentar und Registern der Orte und Personen (*CPJ*). Die Edition der Inschriften (*CIJ*) bedarf vor allem für Band II der weiterführenden Bearbeitung; ob die zahlreichen neuen Funde dabei eingeordnet oder in einem weiteren Band gesammelt werden, müssen die Fachleute entscheiden. Jedenfalls sollten hier ebenso Wort- wie Orts-[35] und Personenregister zugefügt werden, das letzte in prosopographischer Form.[36] Eine Prosopographie des Judentums der hellenistisch-römischen Welt[37] mit (soweit möglich) chronologischen Angaben stellte ein Arbeitsinstrument dar, um das man die künftige Generation lebhaft beneiden kann.[38]

Eine Bearbeitung der Texte, etwa der Papyri und der Inschriften, unter sozial- und wirtschaftsgeschichtlichen Gesichtspunkten könnte zugleich den Hintergrund der kultur- und geistesgeschichtlichen Welt des hellenistischen Judentums erhellen; umgekehrt wären die literarischen Quellen auf indirekte Auskünfte über das Alltagsleben der Judenschaft in der Diaspora in seiner ganzen Breite abzuhören.[39]

33 Vor allem durch Frey in *CIJ* I, S. LIII–CXIV und Harry Joshua Leon, *The Jews of Ancient Rome* (Philadelphia, 1960). Beide behandeln freilich vor allem die Jahrh. n. C.

34 Für Italien siehe ferner C. Giordano — I. Kahn, *Gli Ebrei in Pompei, in Ercolano e nelle città della Campania Felix* (Pompei, o. J. [1965]).

35 Siehe *CPJ* III, S. 197–209.

36 Siehe *CPJ* III, S. 167–196.

37 Sie wird angeregt durch L. H. Feldman in dem vor Anm. 12 genannten Entwurf. Vgl. die exemplarische Darstellung für Philons Neffen Tiberius Julius Alexander *CPJ* II, S. 188–190 von A. Fuks und die Erläuterungen zu Nr. 418a-f ebd. S. 190–197.

38 Die Zusammenstellung wird freilich dadurch erschwert, daß die Zugehörigkeit zum Judentum nur zum Teil ohne weiteres feststellbar ist. Die Kennzeichnung durch *Ἰουδαῖος* zum Beispiel ist auf außerjüdischen Inschriften und Papyri selten; die Juden tragen häufig Namen, die nicht jüdischer Herkunft sind. So läßt sich weithin nur aus dem Kontext schließen, daß es sich um Juden handelt. Auf einer Ephebenliste etwa können mehr jüdische Jünglinge angeführt sein, als sich von den Namen der Betreffenden oder ihrer Väter her annehmen läßt, usw. Gewiß gibt es Namen, die nicht eigentlich jüdisch sind, aber vorzugsweise von Juden gebraucht werden; dabei bleibt indessen ein Faktor der Unsicherheit, soweit nicht andere Indizien in die gleiche Richtung weisen.

39 Welchen Rahmen ihm die pagane Umwelt einer antiken Großstadt bot, davon kann man sich etwa aus der umfassenden Materialsammlung und Darstellung zum Stichwort *Ἀλεξάνδρεια* bei Aristide Calderini, *Dizionario dei nomi geografici e topografici dell'Egitto greco-romano* I, 1 (Cairo, 1935), S. 55–205, ein Bild machen.

In der normalen Existenz des Juden in der Diaspora spielt die Religion eine spezifische Rolle. Der Aristeasbrief deutet beispielsweise an, daß um die Mitte des 2. Jahrh. v. C. von den Juden Alexandrias—offenbar auch von den hellenistisch gebildeten—das Schᵉma täglich rezitiert wurde (160[40]), daß man die Eulogie zu Speise und Trank sprach,[41] daß man die Weisung von Dt 6:8f. buchstäblich verstand und ausführte im Gebrauch von Gebetsriemen und Türpfosten-Kapsel (158f.). Die Literatur des Judentums der Diaspora überhaupt, einschließlich Philons,[42] ist nach Hinweisen auf das religiöse Leben des einzelnen und der Gemeinden[43] durchzusehen. Man wird danach zu fragen haben, wie sich die verschiedenen Aussagen zueinander ordnen. Bestimmte Auskünfte geben auch die Inschriften,[44] etwa durch die Symbolwörter,[45] die sie gebrauchen, durch die Epitheta, die sie verwenden (auch wenn diese als stereotype Lobesprädikate eingesetzt sind, sagen sie etwas über das Idealbild des frommen Juden). Schwierig ist es zum Teil, die Kunstdenkmäler hindurch direckte Aussagen relativ wenig informiert; immerhin sollten die Symbolwert feststehender jüdischer Zeichen wie des siebenarmigen Leuchters[46] ist umstritten. Besondere Probleme ergeben sich im Blick auf Motive, die auch im paganen Raum verwendet werden: Dienen sie lediglich dekorativen Zwecken? Werden sie in jüdischem Sinn umgedeutet? Kommt es zu einer Beeinflussung von der Aussage der Darstellung im paganen Bezirk her? Wir kommen auf diese Fragen, die insbesondere durch Goodenough, *Symbols* herausgestellt worden sind, später zurück.

Über Gottesdienst und Festfeier des Judentums der Diaspora sind wir durch direkte Aussagen relativ wenig informiert; immerhin sollten die

40 Sverre Aalen, *Die Begriffe 'Licht' und 'Finsternis' im Alten Testament, im Spätjudentum und im Rabbinismus,* Skrifter utgitt av det Norske Videnskaps-Akademi i Oslo 1951, 1 (Oslo, 1951), S. 117 verweist darauf, daß hier der Wortlaut von Dt 6:7b; 11:19b durchklingt.

41 Sie wird auch orac Sib 4,25f. als charakteristische Äußerung jüdischer Frömmigkeit erwähnt (hier ist von Proselyten die Rede).

42 Beispielsweise sei die Auslegung der Gesetze in spec genannt. Vgl. unten zur Frage homilienartigen Stoffes bei Philon.

43 Vgl. für den Rahmen des religiösen Lebens der Gemeinden M. Hengel, "Proseuche und Synagoge. Jüdische Gemeinde, Gotteshaus und Gottesdienst in der Diaspora und in Palästina," in: *Tradition und Glaube,* Festgabe für Karl Georg Kuhn (Göttingen, 1971), S. 157–184.

44 Dabei wird unter anderem die Bedeutung der Tora in der Judenschaft der Diaspora sichtbar.

45 Beispielsweise "Friede."

46 Er soll auf das Leben nach dem Tode hinweisen oder auf die Tora usw. Vgl. unten Anm. 273. A. M. Goldberg, "Der siebenarmige Leuchter, zur Entstehung eines jüdischen Bekenntnissymbols," *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 114 (1967), S. 232–246, versteht dagegen die Menora rein als Bekenntniszeichen, und zwar als zunächst einer Gruppe von Symbolen des

betreffenden Nachrichten einmal gesammelt und besprochen werden.[47] In behutsamer Weise könnten für das Thema wohl auch die Ausführungen Philons über die jüdischen Feste in spec 2,145–222 verwertet werden. Man wird fragen können, wie weit die breite sinnbildliche Interpretation der Feste, die Philon hier vorlegt, etwa Aussagen zusammenfaßt, wie sie zum Teil in der Synagoge beziehungsweise den Synagogen von Alexandria vorgetragen wurden (Philon nimmt auch außerhalb dieser Abhandlung über die jüdischen Feste, die sich im Zusammenhang der Erörterung des vierten Gebotes[48] ergibt, auf einige dieser Feste mehrfach Bezug).

Interessant ist im Kontext von spec 2 die Übertragung des Formulars Dt 26:5–11 in die Sprache Philons—oder des hellenistischen Judentums—in spec 2,217–219. Es wäre nützlich, das Stück selbst bezüglich seiner Aussageweise zu untersuchen und entsprechende Übertragungen bei Philon zu vergleichen.

Daß die Auslegung der Bibel (zunächst die Interpretation von "Gesetz und Propheten"[49]) im sabbatlichen Gottesdienst der Diaspora eine hervorragende Rolle gespielt hat, wird vielfältig sichtbar (bei Philon zunächst hinsichtlich der Tora; Philo, Mos 2,215f.; spec 2,62; decal 98 usw.). Philon zeigt am Modell der gottesdienstlichen Schriftauslegung der Therapeuten in cont 31.75f. die rechte Weise der Predigt auf.[50] Der Prediger verzichtet auf die *δεινότης λόγων* (cont 31)[51] und legt Wert auf den präzisen Ausdruck des Gedankens (31) und die genaue Einsicht, die er vermitteln möchte (75), das Einprägen der Gedanken[52] (76; es handelt sich um *διδασκαλία*, ebd.; nur die kundigsten Männer reden, cont 31; spec 2,62). Der Bedeutsamkeit des Vorgetragenen entspricht die Haltung der Zuhörer (cont 77).

Wahrscheinlich lohnt es sich auch sonst, die Schriften Philons einmal

Tempelkultes zugehörendes (wobei "Symbol" einfach im Sinn des Merkmals verstanden ist). Einen weitgespannten Überblick (von der Frühgeschichte des Baumes des Lebens bis zur Gegenwart) zur Geschichte der Menora, ihrer Verwendung und ihrer Deutung gibt L. Yarden, *The Tree of Life. A Study on the Menorah, the Seven-branched Lamp* (London, 1971) auf 70 Seiten Text und 230 Abbildungen.

47 Vgl. auch den oben Anm. 43 genannten Aufsatz von M. Hengel.

48 Des Sabbatgebots, Ex 20:8; Dt 5:12.

49 Auf diese nimmt der Zuspruch des Judas Makkabäus nach II Makk 15:9 Bezug.

50 Auch in prob 81f., wo er von den Essenern redet, gibt Philon zugleich eine Kennzeichnung und ein Bild des synagogalen Gottesdienstes, vgl. spec 2,62.

51 So auch 75; er ist nicht auf *ἐπίδειξις* aus (ebd.), auf Demonstration seiner Beredsamkeit. Vgl. I Kor 1:17; 2:1, 4, 13.

52 Das alles fügt sich wenig zu einem "mystic gospel" (vgl. unten S. 171).

danach zu befragen, was sie bezüglich des die Bibel auslegenden Vortrags in der Synagoge ausgeben könnten.[53] Es sollte solchen Ausführungen—sei es ethischer Unterweisung, sei es religiösen Zuspruchs—nachgegangen werden, die nach Form und Inhalt auf die Auslegung der Bibel im Gottesdienst hindeuten könnten. So ist etwa in der pseudophilonischen Schrift de Jona in 31–34 ein Passus eingeschlossen, der in besonderer Weise predigtartigen Charakter[54] hat (Themen sind hier unter anderem das Walten der Güte Gottes über dem Menschen, der Undank des Menschen, die Erkenntnis Gottes aus der Schöpfung und der weisen Ordnung in der Natur); doch ist die ganze Schrift auf solche Züge zu untersuchen. Die stereotype Interpretation von Dt 30:11–14 (LXX) bei Philon mag ein alexandrinischer Predigttopos sein (virt 183; poster 85; mut 237; somn 2,180; prob 68).[55] Daß Philon weithin Prediger ist, wurde in letzter Zeit mehrfach betont.[56] Der Versuch von H. Thyen, Kennzeichen des Stils der jüdisch-hellenistischen Homilie (unter anderem bei Philon) herauszustellen, beschränkte sich bewußt auf allgemeine, insbesondere stilistische Kriterien,[57] etwa das Redner und Hörer zusammenschließende "wir," das "du" beziehungsweise "ihr" der Anrede.[58] Dagegen nahm P. Borgen die Aufgabe in Angriff, an Hand von Einzeltexten ein spezielles homiletic pattern zu erarbeiten.[59] Es ist bemerkenswert, daß solche zugleich den Inhalt der Stücke beachtenden Analysen es ermöglichen, etwas über die Situation der angeredeten Gemeinde zu sagen. Gewicht erhält die von Borgen vorgelegte insbesondere dann, wenn entsprechende Nachweise von Predigtmodellen sich weiterhin für den jüdischen[60] Bereich erbringen lassen.

53 Eine vielverhandelte Frage klärte neuerdings Irmgard Christiansen, *Die Technik der allegorischen Auslegungswissenschaft bei Philon von Alexandrien* (Tübingen, 1969); im abschließenden Teil 5 geht es um "Schrift und Allegorese" (S. 152–171).

54 Auch die Bildreden in den zahlreichen Reflexionen der Schrift verdienten eine Prüfung unter diesem Gesichtspunkt.

55 Man wird auch fragen können, ob etwa qu Gen und Ex Materialien für die Unterweisung in der Synagoge enthalten. Die Form der quaestiones et solutiones als solche ist aus der paganen Textinterpretation geläufig, siehe Walter, *Aristobulos*, S. 30.

56 Züge der Missionspredigt entdeckt bei ihm Harald Hegermann, *Die Vorstellung vom Schöpfungsmittler im hellenistischen Judentum und im Urchristentum* (Berlin, 1961), S. 44–47.

57 Hartwig Thyen, *Der Stil der Jüdisch-Hellenistischen Homilie* (Göttingen, 1955), S. 8f.

58 Thyen, *Stil* (oben Anm. 57), S. 90–100.

59 Peder B., *Bread from Heaven* (Leiden, 1965). Genauer untersucht werden Philo, all 3,162–168; mut 253–263 und Joh 6:31–58; dazu wird vielfältiges anderes Material herangezogen, einschließlich palästinischen einerseits und Paulinischen andererseits.

60 Und den jüdisch beeinflußten christlichen.

In der jüdisch-hellenistischen Interpretation der Bibel haben sichtlich die Namendeutungen[61] eine bestimmte Rolle gespielt. Das wird nicht nur von Philon her wahrscheinlich, der ein Wörterbuch erbaulich und paränetisch ausgelegter biblischer Namen liefert beziehentlich offenbar seinerseits voraussetzt[62]—und zwar keineswegs allein für die besonders bekannten Gestalten der Bibel.[63] Das gesamte Material[64] bedürfte einer Aufarbeitung, bei der auch palästinischer Stoff vergleichend zu berücksichtigen wäre.[65]

Besonderheiten der jüdischen Predigt sind auch sonst in der Literatur der Diaspora zu erheben (die damit teilweise als Erbauungsliteratur

61 Sie begegnen bereits im Alten Testament nicht selten, vgl. die Liste bei I. Opelt, "Etymologie," *RAC* 6, Sp. 798–844, spez. 819–822. Auch Josephus bringt etymologische Erläuterungen alttestamentlicher Namen an, etwa ant 1,34.333; 5,201. Sprachliche Deutungen insbesondere der Namen von Göttern waren der Antike geläufig; bekannt sind *Ζεύς—ζῆν, Δία—διά, Ἥρα—ἀήρ*. Platon läßt Sokrates im Kratylos vielfältig mit solchen Deutungen spielen, 401c–408d usw. Zur Antike überhaupt vgl. Opelt, *RAC* 6, Sp. 798–819; zu Philon 822–826.

62 Klassisches Beispiel dafür dürfte die Deutung von Israel "der Gott sieht" sein; Belege bei Hans Leisegang, *Indices ad Philonis Alexandrini opera* (Berlin, (1926), S. 12.377 (hier sub 6b) (anders Jos ant 1,333). Die Interpretation spielt eine Rolle im Gebet Josephs, Origenes, Johanneskommentar II (31) 189 (p. 88, 27 Preuschen): *ἀνὴρ ὁρῶν θεόν,* dazu J. Z. Smith, "The Prayer of Joseph," in: *Religions in Antiquity,* Essays in Memory of E. R. Goodenough (Leiden, 1968), S. 253–294. Zur Frage der Herkunft des ganzen Textes siehe Denis, *Introduction,* S. 126f. — Zur Verwendung vorliegenden Materials durch Philon vgl. A. Hanson, "Philo's Etymologies," *JThS* NS 18 (1967), S. 128–139. Zur Bedeutung der Etymologie der Eigennamen für die Gedankenführung bei Philon und seine Verwendung derselben insbesondere in poster siehe Roger Arnaldez, *De posteritate Caini* (Paris, 1972), S. 19–23 usw.

63 Vgl. den Index nominum bei Leisegang, *Indices* (oben Anm. 62), S. 3–26; siehe beispielsweise mut 69.71.81.89.92.98f.103.105–107.113f.121.123.126. Vgl. Leisegang S. 297 s. v. *ἑρμηνεύεσθαι,* auch *ἑρμηνεία.*

64 Ein Fragment eines Onomastikon biblischer Namen zum Buchstaben I wurde herausgegeben und kommentiert von D. Rokeah in *Pap. Oxy.* 36 (1970), Nr. 2745 (geschrieben Ende 3., vielleicht Anfang 4. Jahrh. n. C.), siehe Ders., "A New Onomasticon Fragment from Oxyrhynchus and Philo's Etymologies," *JThS* NS 19 (1968), S. 70–82. N. Turner (zitiert *Oxy.* 36 S. 2f.) schließt aus dem Gebrauch der Kürzung für *θεός* auf einen christlichen Schreiber; jedenfalls dürfte das offenbar sehr ausführliche Onomastikon — es sind auch ausgesprochen seltene Namen gedeutet — im ganzen auf eine jüdische Vorlage zurückgehen. Rokeah, *JThS* 19, S. 81 möchte diese an das Ende des 3. oder den Anfang des 2. Jahrh. v. C. setzen. Das durch Adolf Deissmann, *Die Septuaginta-Papyri und andere altchristliche Texte der Heidelberger Papyrus-Sammlung* (Heidelberg, 1905), S. 86–93 edierte und erläuterte Onomastikon ist wohl gelegentlich christlich beeinflußt, verwendet aber offenbar überwiegend vorchristliches Marterial. Franz Wutz, *Onomastica sacra* (Leipzig, 1914–15) bleibt insbesondere für vergleichende Arbeiten als Nachschlagewerk (S. VIII) von Bedeutung; II enthält Texte und Register.

65 Beispiele dafür bietet Rokeah, *JThS* 19 (1968), S. 77–79.

gekennzeichnet ist). Wir nennen etwa die Aufreihungen von Machttaten Gottes oder von hervorragenden Gestalten der Geschichte Israels (zum ersten sei als Beispiel Jos, ant 3,86f. genannt[66]). Die Redeform ist auch in Palästina geläufig; sie hat Vorstufen im Alten Testament.[67] Homilienartig ist die Auswertung der Bezugnahme auf Gottes Handeln in der Geschichte in Sap 11:21–12:2 (usw.) trotz der Form der Anrede an Gott, die vielmehr gerade zu den Predigtformen der hellenistischen Synagoge zu gehören scheint, vgl. weiterhin die Sätze in Sap 15:1–3; 17:1 usw. bis hin zu 19:22; in solchen Passagen wird bereits exemplifiziert, was hernach Josephus in ant 1,14f. als Ertrag der Darstellung der Geschichte seines Volkes kennzeichnet. Übrigens ist nach IV Makk 18:11–13 das Vorbild der großen Männer der Geschichte Israels auch Gegenstand der häuslichen Unterweisung in der Diaspora, darüber hinaus der Unterricht in "Gesetz und Propheten"[68] überhaupt (V. 10; in V. 15 ist ausdrücklich auch der Psalter erwähnt, in V. 16 die Spruchdichtung).

In diesem Zusammenhang stellt sich die Frage insgesamt, in welcher Weise die Einweisung und Einübung in die jüdische Religion geschah, welche Formen der Erziehung vom hellenistischen Judentum gehandhabt wurden. Dabei ist gewiß das Problem nicht zu übersehen, in welcher Relation jüdische und pagane Bildungselemente in bestimmten jüdischen Schichten standen—hier ist einer der Bereiche, in denen die Frage Judentum und Hellenismus in besonderer Weise akut wird[69]—. Doch darf über dieser Frage nicht die im Blick auf breitere Kreise bedeutsamere in den Hintergrund treten, wie insbesondere die Einführung in jüdisches Denken und Handeln von der Religion her erfolgte. Verschiedene Andeutungen in diesem Aufsatz weisen darauf, daß das weithin von der Bibel her geschah. In diesem Rahmen spielte offenbar die Geschichte Gottes mit seinem Volk eine wichtige Rolle.

Wie die vorhin genannten Texte, so bedürften auch die Gebete, die in den Schriften des hellenistischen Judentums formuliert werden, einer speziellen Analyse unter dem Gesichtspunkt ihrer eventuellen Nähe zum Gottesdienst. An eine solche ist zumal dann zu denken, wenn M. Hadas[70]

66 In 86 in Partizipialsätzen, in 87 in Relativsätzen, die mit *δι᾽ ὅν* beginnen. Gott wird durch die aufgezählten Taten an seinem Volk gekennzeichnet. Über die Wirkung, die Josephus von seiner Geschichtsschreibung erwartet, redet er in ant 1,14f. im Predigtstil.

67 Vgl. zum Ganzen A. Lumpe, "Exemplum," *RAC* 6, Sp. 1239–1242.

68 Vgl. oben S.140. Daß uns von Philon fast nur Auslegungen von Texten der Tora erhalten sind, darf nicht zu der Meinung führen, nur sie hätte in Gottesdienst und Unterricht eine Rolle gespielt. Philon selbst rühmt Jeremia als einen, von dem er viel empfangen hat (Cher 49).

69 Jüdische Epheben sind uns an verschiedenen Orten bezeugt.

70 *Culture*, S. 205.

recht hat mit seinem Satz, daß die Gebete in den gedanklich und formal griechisch beeinflußten Schriften III.IV Makk und Sap nach Form und Inhalt ganz in der alttestamentlichen Tradition stehen.[71] Mag das bezüglich Form und Sprache nicht durchweg gelten,[72] so doch weithin hinsichtlich des Inhalts (dazu gehören etwa die Aufzählungen der Heils- und Rettungs- oder auch Straftaten Gottes in der Geschichte Israels [s. III Makk 2:4–8; 6:4–8], die die Bitte begründen [siehe 6:4–12: Du hast . . . du hast . . . ; ferner Jos, ant 4,43–45][73]).

Daß in den Büchern VII und VIII der Apostolischen Konstitutionen jüdische Gebetstexte verwendet sind,[74] ist schon seit längerer Zeit beobachtet worden,[75] insbesondere in VII 33–38. In Const Apost ist auch das sogenannte Gebet des Manasse aufbewahrt, II 22, 12–14, ein individuelles Schuldbekenntnis eines Juden. Die Texte rufen insgesamt nach einer sorgfältigen Einzelanalyse durch einen Kenner auch der altkirchlichen Liturgie.[76] Tatsächlich stellt sich gerade bezüglich dieser Art von Texten, in denen sich besonders häufig die Kraft der Tradition mächtig erweist, die Frage nach dem Zusammenhang mit palästinischen Gut[77]— und die zwischentestamentliche Literatur Palästinas ist vermutlich weithin auch dem Judentum der Diaspora in Übersetzungen zugänglich gewesen.[78] Der Vergleich der Gebetstexte insgesamt könnte Einblicke

71 Auf dieser Linie ließe es sich erklären, daß in den Zusätzen zu Esther die Gebetstexte weithin alttestamentlicher Redeweise gemäß sind, im Unterschied zu den übrigen Partien; vgl. E. Bickerman, "Notes on the Greek Book of Esther," *Proceedings of the American Academy for Jewish Research* 20 (1951), S. 101–133, spez. 114.

72 Vgl. etwa die Gebetsanreden in II Makk 1:24f.; III Makk 2:2; 6:2,9.

73 Wiederum Partizipialsätze. Zu 4,44 vgl. Ps 136 (135): 10–15 (78 [77]: 13), zu 4,45 Ps 78 (77): 16, 20, 26–28, 23–25; in Ps 136 (135) LXX ebenfalls Partizipialsätze; die Aufreihung in ant 4,43–45 ist Mose in den Mund gelegt.

74 In den betreffenden Partien spielen auch Aufreihungen der vorhin genannten Art eine Rolle.

75 Vgl. auch E. R. Goodenough, *By Light, Light. The Mystic Gospel of Hellenistic Judaism* (New Haven, 1935), S. 306–358, Übersetzung und Interpretation unter dem Stichwort "the Mystic Liturgy" (Kap. XI); zu diesem vgl. unten S. 171.

76 Nicht zugänglich war mir Wilhelm Schneemelcher, *Eine griechische Agende der jüdisch-hellenistischen Diaspora im VII. und VIII. Buche der Apostolischen Konstitutionen* (Diss. theol. Berlin, 1940); der Verfasser hat eine neue Behandlung des Themas in Aussicht gestellt.

77 Auf die Beziehungen zu palästinischen Texten hat schon Wilhelm Bousset, "Eine jüdische Gebetssammlung im siebenten Buch der apostolischen Konstitutionen," *Nachrichten der Gesellschaft der Wissenschaften zu Göttingen* phil.-hist. Kl. 1915, 3, S. 435–489, hingewiesen, in anderer Richtung A. Baumstark, "Das eucharistische Hochgebet und die Literatur des nachexilischen Judentums," *Theologie und Glaube* 2 (1910), S. 353–370.

78 Diese gehen kaum erst auf die Christen zurück.

spora und dem Mutterland oder doch in ihre Gemeinsamkeiten und Unterschiede, die weithin die Gemeindefrömmigkeit angehen dürften.

Das Thema Gebet wäre auch bei Philon eine erneute Untersuchung wert,[79] eben auch unter dem Gesichtspunkt der Gemeindefrömmigkeit. Zu dem oben über Predigtpassagen bei Philon Bemerkten fügt sich ferner etwa die Beobachtung, daß seine Schrift ebr mit Sätzen schließt, die ausdrücklich einen Gebetsinhalt bezeichnen (... ὑχώμεθαε ..., 224); vgl. die Gebetsaufforderung in 125, siehe sobr 64 usw.

Welche Rolle der gottesdienstliche[80] Gesang bei Philon und entsprechend offenbar in der alexandrinischen Judenschaft spielt, ist anderswo zu skizzieren versucht worden.[81] Nächst der Tora erwähnt beziehentlich zitiert Philon besonders häufig Psalmentexte.

Mit diesen Andeutungen sind nur einige Hinweise gegeben zu Aufgaben, die in diesem Bereich noch zu lösen sind. Die Texte sind nicht nur zusammenzustellen, sondern auch hinsichtlich ihres Stils zu untersuchen und im Blick auf ihre Aussagen zur Frömmigkeit des hellenistischen Judentums zu interpretieren.

II

Dazu gesellt sich die Aufgabe der speziell literarischen Analyse[82] seiner Schriften.[83] Dafür sind mancherlei Ansätze und auch größere Arbeiten vorhanden.[84] So wurden in eine Untersuchung über das Symposion als literarische Form auch die Tischreden des Aristeasbriefs eingewähren in die geistigen Beziehungen zwischen der hellenistischen Dia-

79 C. W. Larson, "Prayer of Petition in Philo," *JBL* 65 (1946), S. 185–203.

80 Zur homiletischen Verwertung des Psalters siehe etwa Philo, agr 50–52 (Ps 23:1; zitiert auch mut 115).

81 *ThWNT* 8, S. 499f. Der Vater lehrt seine Söhne das Moselied (Dt 32) IV Makk 18:18 (vgl. ferner II Makk 7:6).

82 Wir können auch hier nur sehr begrenzt Literatur angeben. Generell kann verwiesen werden auf G. Delling, *Bibliographie zur jüdisch-hellenistischen und intertestamentarischen Literatur 1900–1965* (Berlin, 1969). Das Manuskript für eine Neubearbeitung und Weiterführung bis 1970 liegt vor.

83 Einen Überblick über diese gibt unter dem in Titel angegebenen Gesichtspunkt, der seinerseits für die Beurteilung unserer Texte von Bedeutung ist, M. Hengel, "Anonymität, Pseudepigraphie und 'literarische Fälschung' in der jüdisch-hellenistischen Literatur", *Pseudepigrapha I. Études sur les faux littéraires dans l'Antiquité,* Fondation Hardt 18 (Genf, 1972), S. 229–308; Diskussion 309–329.

84 Über weitgespannte Pläne berichtet J. H. Charlesworth, "The Renaissance of Pseudepigrapha Studies. The SBL Pseudepigrapha Project," *JSJ* 2 (1972), S. 107–114. Eine völlig neue Heftreihe (mit deutscher Übersetzung der Texte und Erläuterungen), die an die Stelle von E. Kautzsch, *Die Apokryphen und Pseudepigraphen des Alten Testaments* I.II (Tübingen, 1900) treten soll, erscheint unter der Gesamtleitung von W. G. Kümmel (Marburg).

bezogen.[85] Tatsächlich bedürfte der Aristeasbrief[86] insgesamt in seinen verschiedenen Teilen[87] einer literar- beziehungsweise gattungs- und zeitgeschichtlichen Ortsbestimmung. Der Komplex 128–171 etwa wird in 171 als *ὁμιλία* gekennzeichnet, siehe schon 122 *(πρὸς) τὰς ὁμιλίας καὶ τὰς ἐπερωτήσεις τὰς διὰ τοῦ νόμου*.[88] Unterweisung im Gesetz ist der ganze Passus 130–170 in der Tat (sie geschieht durch den Mund des Hohenpriesters Eleazar). Auch der in sie eingefügte Katechismus zur Gotteslehre für am Judentum Interessierte (132f.) verdiente eine Analyse (zu 132 vgl. beispielsweise Philo, gig 47; Jos 236; Sap 1:7f.; 19:1), ebenso die allegorische Auslegung für den Außenstehenden anstößiger Bestimmungen der Tora (142–170). Unter dem Gesichtspunkt der Stellung der Diaspora zu dem Tempel von Jerusalem und seinem Kult[89] ist die preisende Schilderung beider in 84–95 mit anderen Aussagen zu vergleichen, nicht zuletzt dann der Hymnus auf den Ornat des Hohenpriesters (96–99), der seine Parallelen beispielsweise bei Philon hat.[90]

Über keine der Schriften des hellenistischen Judentums mit unbekanntem Verfasser ist wohl soviel geschrieben worden wie über Sap Sal.[91] Dabei wird in neuerer Zeit nicht mehr nur nach griechischen Einflüssen auf Sap gefragt,[92] sondern auch nach Gemeinsamkeiten mit dem palä-

85 Josef Martin, *Symposion* (Paderborn, 1931), S. 266–270. Unter einem anderen Gesichtspunkt betrachtet denselben Komplex P. Hadot, "Fürstenspiegel," *RAC* 8, Sp. 555–632, spez. 587–589.

86 Nach G. E. Howard, "The Letter of Aristeas and Diaspora Judaism," *JThS* NS 22 (1971), S. 337–348, wendet sich der Brief insbesondere gegen die Behauptung des palästinischen Judentums, das Gesetz könne nur gehalten werden, wenn man es hebräisch lese und von den Heiden getrennt lebe.

87 Von der Verwertung verschiedenartigen Materials (documents) durch den Verfasser spricht André Pelletier, *Lettre d'Aristée à Philocrate* (Paris, 1962), S. 54, vgl. S. 100 Anm. 1; S. 103 Anm. 5; S. 148 Anm. 2.

88 Nämlich: *μεγάλην εὐφυίαν εἶχον,* als Ganzes eine gute Kennzeichnung des Schriftgelehrten. — Die Ausführungen des Stückes 130–170 werden an eine Frage (in 129) angehängt. Der Verfasser des Briefes wird das Schema Frage/Antwort für die Unterweisung vorgefunden haben — auch für die synagogale —; vgl. zu der Form oben Anm. 55 zu Philo, qu Gen und Ex.

89 Vgl. dazu etwa die Hinweise bei J. Comblin, "La liturgie de la nouvelle Jérusalem," *Ephemerides Theologicae Lovanienses* 29 (1937), S. 5–40, spez. 23f.

90 Mos 2,109–135; vgl. Jos, ant 3,159–178.184–187; bell 5,231–235. Es mag sich dabei um einen Topos handeln, der aber eben als solcher kennzeichnend für die Diasporafrömmigkeit sein kann.

91 Von 1910 bis 1957 erschienen zumindest 9 Kommentare zu Sap. Die jüngste mir bekannte größere Untersuchung: Chrysostome Larcher, *Études sur le Livre de la Sagesse* (Paris, 1969).

92 Sie sind gewiß unübersehbar. Dazu zum Beispiel ausdrücklich Larcher, *Études* (oben Anm. 91) Kap. III (S. 179– 236); zuletzt James Miller Reese, *Hellenistic Influence on the Book of Wisdom and its Consequences,* "Analecta Biblica" 41 (Rom, 1970).

stinischen Judentum.[93] Bemerkenswerterweise spielen die Aussagen der Sap über das Schicksal nach dem Tod und über das Endgeschehen eine besondere Rolle[94] (dazu stellte P. Grelot[95] weitgehende Entsprechungen zur Eschatologie der jüdischen Apokalyptik sonst heraus). Wiederholt wurde sodann die besondere Geschichtsbetrachtung in Sap der Beachtung wert gefunden.[96] Die Möglichkeit palästinischer Einflüsse wurde bis in das Sprachliche hinein erwogen. Gilt als sozusagen klassischer Ort der Sap Alexandria, so ist das nicht mehr unbestritten.[97] Diese wenigen Bemerkungen visieren nur Richtungen an, in denen die Forschung etwa weitergehen könnte (dazu wäre beispielsweise noch die Frage des Verständnisses der Frommen und der "Gottlosen" in Sap 1–5 zu nennen). Insgesamt bedürften die Aussagen der Texte des hellenistischen Judentums über das Geschick des Menschen nach dem Tode und über das Endgeschehen in ihrem Nebeneinander eingehender und geschlossener Untersuchung, nicht zuletzt auch bezüglich ihrer Relation zum Auferstehungsgedanken (siehe etwa IV Makk; die Vorstellung eines glückhaften Daseins nach dem Tode und die der leiblichen Auferstehung schließen einander nicht aus).

In III (I) Esra ist eine wahrscheinlich bereits griechisch abgefaßte Partie eingearbeitet (c. 3f.), die den Wiederaufbau des Tempels und die Rückführung der in Babylon zurückgebliebenen Kultgeräte nach Jerusalem mit einem Gunsterweis des Darius gegen den jungen Seru(b)babel in Verbindung bringt, der aus einem Wettstreit als der Weiseste hervorgeht. In der Darstellung dieses Wettstreits ist offenbar eine profane Erählung verwertet.[98] Das Ganze wurde nicht ohne Schwierigkeiten in den Rahmen der Geschichte der Wiederherstellung Jerusalems und des jüdischen Kultes eingepaßt. Wir können hier nicht im einzelnen aufzeigen, welche Probleme des Textes insbesondere weiterer Bearbeitung harren (schon die Abgrenzung der verarbeiteten Grundlage ist strittig).

93 Vgl. Larcher, *Études* (oben Anm. 91) Kap. II (S. 86–178) über das Verhältnis zur biblischen und jüdischen Literatur.

94 Beispielsweise bei A. Feuillet, "Mystique et Eschatologie dans quelques Écrits Bibliques tardifs," *Revue du Clergé African* 21 (1966), S. 19–32, spez. 20–25; Larcher, *Études* (oben Anm. 91) Kap. IV (S. 237–327).

95 "L'eschatologie de la Sagesse et les apocalypses juives," in: *À la rencontre de Dieu.* Mémorial Albert Gelin (Le Puy, 1961), S. 165–178. Vgl. weiterhin Erich Brandenburger, *Fleisch und Geist* (Neukirchen-Vluyn, 1968), S. 111–113.

96 Zuletzt dazu Paul-Gerhard Keyser, *Sapientia Salomonis und Paulus* (Diss. theol. Halle, 1971), S. 47–69.83–112 usw.

97 F. Zimmermann, "Book of Wisdom: its Language and Character," *JQR* 57 (1966/67), S. 1–27.101–135 denkt an ursprünglich aramäische Abfassung in Syrien.

98 Die jüdische Stilisierung setzt schon vor 4:33 ein, vgl. 4:20,25, zu V. 20 den griechischen Wortlaut von Gn 2:24.

Die griechischen Zusätze zu Esth erwähnen wir hier unter der Voraussetzung, daß sie in griechischer Sprache verfaßt sind.[99] Ihre besondere Tendenz hat H. Bardtke[100] neu beleuchtet. E. Bickerman hat mehrfach betont, daß das griechische Buch Esther durch seinen Übersetzer, den Jerusalemer Lysimachos (Esth 10:3¹ = F 11), eine eigene Prägung erhalten hat, und in ihm hellenistische Züge aufgezeigt.[101]

In den Untersuchungen zum II Makk wurde um 1900 häufig nach der Relation des Buches zum I Makk unter dem Gesichtspunkt der historischen Zuverlässigkeit gefragt. Die Antwort ist noch heute nicht durchaus einheitlich, auch wenn man inzwischen bemerkt hat, daß I Makk ebenfalls mit einer bestimmten Tendenz geschrieben wurde, die keineswegs nur politischer Art ist,[102] und dem II Makk einen "immerhin nicht unbeträchtlichen historischen Wert" zuspricht.[103] Bezeichnet der Verfasser selbst Ergötzung[104] und bequeme Information[105] als Ziele seiner schriftstellerischen Tätigkeit (2:25), so weist die vorangehende Andeutung über das zu Berichtende (2:19–22) auf den religiösen Gehalt der Schrift; es geht insbesonders um den Tempel und die Gesetze des Judentums (*Ἰουδαϊσμός* ist in der Literatur der Diaspora ein spezifisch religiöser—beziehentlich religiös-ethischer—Begriff[106]).

Daß der Verfasser eine kürzere[107] und angenehmer zu lesende Fassung eines ausführlicheren Werkes gibt, wie er im Proömium wortreich ausführt (2:23–31), ist in neuerer Zeit nachdrücklich als Fiktion bezeichnet worden[108] (der Verdacht ist alt[109]). In einer Arbeit der letzten Jahre

99 So der Herausgeber in der Göttinger Edition der LXX, Robert Hanhart, *Esther* (Göttingen, 1966), S. 96 und andere.

100 "Der Mardochäustag," in: *Tradition und Glaube* (oben Anm. 43), S. 97–116.

101 Siehe oben Anm. 71.

102 Neuerdings siehe Enno Janssen, *Das Gottesvolk und seine Geschichte* (Neukirchen-Vluyn, 1971), S. 34–48; Diego Arenhoevel, *Die Theokratie nach dem 1. und 2. Makkabäerbuch* (Mainz, 1967).

103 Otto Eißfeldt, *Einleitung in das Alte Testament* (Tübingen, ³1964), S. 787.

104 So *ψυχαγωγία* in edlem Sinn zum Beispiel ep Arist 78.

105 Auf oblectatio und utilitas ist die hellenistische Geschichtsschreibung aus, Paul Scheller, *De hellenistica historiae conscribendae arte* (Diss. phil. Leipzig, 1911), S. 72–78 (vgl. 38); *ψυχαγωγία* und *ὠφέλεια* II Makk 2:25.

106 Siehe II Makk 8:1; 14:38; IV Makk 4:26; *CIJ* I 694, 8f. (1. oder 2. Jahrh. n. C., Stobi), er gestaltete seine gesamte Lebensführung *κατὰ τὸν Ἰουδαϊσμόν*.

107 Der Fachausdruck *ἐπιτομή* begegnet 2:26,28 (das Verb 2:23,32). Zu ihm I. Opelt, "Epitome," *RAC* 5, Sp. 944–973.

108 Wolfgang Richnow, *Untersuchungen zu Sprache und Stil des zweiten Makkabäerbuches* (Diss. phil. Göttingen, 1966); Zusammenfassung S. 188–191.

109 Vgl. A. Kamphausen in E. Kautzsch, *Apokryphen* (oben Anm. 84) I, S. 81, siehe auch die Überschrift zu 2:19–32. Doch setzt offenbar noch W. Spoer-

wird dagegen "Der Aufbau des Jason-Werkes" rekonstruiert.[110] Die Übereinstimmungen zwischen I und II Makk werden auf die Benutzung einer "Judas-Vita" durch den Verfasser des I Makk und Jason zurückgeführt;[111] sie bilde den "historisch sehr wertvollen" "Grundstock und Rahmen" des II Makk.[112] Außerdem seien mancherlei andere Quellen und Traditionen—teilweise schon in dem Werk Jasons—verarbeitet.[113] Bunge versteht II Makk 3–15 als historische "Anlage" zu dem "Festbrief"[114] 1:10b–2:18, den der sogenannte Epitomator unter Zugrundelegung eines echten Briefes von 164 v. C. und unter Verwendung von Material aus dem Jason-Werk formte.[115] In Verbindung mit der eingehenden quellenkritischen und literarischen Analyse des II Makk ergeben sich für Bunge auch bestimmte Zielsetzungen der Schrift. Einerseits soll sie der ägyptischen Judenschaft die "Legitimität des Jerusalemer Tempels und seines Kultes" erweisen,[116] andererseits den kausalen Zusammenhang "zwischen Sünde und Leid/Gerechtigkeit und Wohlergehen" aufzeigen.[117] Man wird fragen müssen, in welcher Relation beide Gesichtspunkte zu den übrigen religiösen Aussagen des II Makk stehen (die wichtigen Stichwörter Gesetz[118] und Kult[119] sind in II Makk nicht nur in den genannten Zusammenhängen bedeutsam); nicht wenige haben ihren eigenen Akzent (beispielsweise der Gedanke der leiblichen Auferstehung, 7:11,23 usw.; die Erwartung der Sammlung der Diaspora in Palästina

ri, "Jason von Kyrene", *Der kleine Pauly* 2 (1967), Sp. 1324f., wie andere Autoren die Existenz der Schrift des sonst unbekannten Jason voraus. Bemerkenswerterweise stellt Arenhoevel, *Theokratie* (oben Anm. 102) nach einem Versuch, verschiedene Tendenzen für Jason, den Epitomator und den Redaktor aus II Makk zu erheben, fest: "Im übrigen dürfte es außerordentlich schwer sein, in der Epitome zwischen Jason und seinem Bearbeiter zu scheiden" (S. 114).

110 Jochen Gabriel Bunge, *Untersuchungen zum zweiten Makkabäerbuch* (Diss. phil. Bonn, 1971), S. 273–298. Vgl. schon Adolf Schlatter, "Jason von Kyrene. Ein Beitrag zu seiner Wiederherstellung," *Festschrift ... Otto Zöckler* (München, 1891). Bunge hat die Dissertation von Richnow (oben Anm. 108) nicht benutzt (S. 704.726).

111 Bunge, *Untersuchungen* (oben Anm. 110), S. 209–263.

112 Bunge, *Untersuchungen* (oben Anm. 110), S. 324.

113 Vgl. die Zusammenfassung S. 324–326.

114 Bunge, *Untersuchungen* (oben Anm. 110), S. 153–205. Die Anführungszeichen setzt Bunge.

115 S. 326, siehe S. 56–205.

116 S. 604, vgl. 328.606.614 usw.

117 S. 327.

118 Betont unter anderem hinsichtlich der Sabbatheiligung.

119 Siehe beispielsweise die eschatologische Erwartung der Wiederauffindung der durch Jeremia verborgenen Kultgeräte, 2:4–8. Dazu vgl. Christian Wolff, *Jeremia in Frühjudentum und Urchristentum* (Diss. theol. Greifswald, 1971) (Drucklegung ist vorgesehen).

ist besonderer Gebetsinhalt in 1:27–29;[120] 2:7). Daß das Buch in hellenistischem Stil[121] geschrieben ist, wird allgemein gesehen; W. Richnow[122] gab den eingehenden Nachweis von philologischer Seite.

Entsprechende sprachliche und literargeschtliche Untersuchungen sind für die sonstigen Schriften des hellenistischen Judentums erwünscht, soweit sie noch nicht angestellt sind.[123] M. Hadas hat für das—in schwülstigem Stil geschriebene—III Makk insbesondere den Vergleich mit dem Roman durchgeführt,[124] ohne bestimmte Unterschiede zu übersehen.[125] Bezüglich des Inhalts hat man eine bestimmte Parallelität zu Esth bemerkt: der Plan einer Ausrottung der Judenschaft Persiens/Alexandriens (Esth 3/III Makk 3) wird vereitelt; die die Juden Bedrohenden werden vernichtet;[126] zum Gedenken an die Rettung wird regelmäßig ein Fest gefeiert. In beiden Schriften spielt als Grund für die Verfolgung die religiöse Absonderung[127] der Judenschaft, die als Feindschaft gegen den Staat gedeutet wird, eine entscheidende Rolle (Esth 3:8/III Makk 3:7). Der Verlauf der Geschehnisse ist im übrigen verschieden. Bemerkenswert ist etwa, daß die Juden in III Makk nicht wie in Esth die sie Verfolgenden selbst vernichten, sondern die sie bedrohenden Naturkräfte sich gegen die Verfolger[128] kehren (6:16–21). Dagegen töten die Juden in III Makk ihrerseits die in der Verfolgung vom Judentum Abgefallenen (7:12,14f.; ihre Zahl—über dreihundert[129]—erscheint

120 Man kann sich dafür ausdrücklich auf die Tora berufen, Dt 30:4; Ex 15:17.

121 Die Schreibweise der hellenistischen Geschichtsschreibung ist von der Rhetorik bestimmt, Scheller, *De . . . arte* (oben Anm. 105), S. 65–71.79.

122 Siehe oben Anm. 108.

123 André Pelletier, *Flavius Josèphe adaptateur de la lettre d'Aristée* (Paris, 1962) hat beispielsweise für die vergleichbaren Stücke in Aristeasbrief und Jos ant 12 satzrhythmische Erhebungen gemacht, S. 244–249; sie sind jeweils angegeben in der Synopse der beiden Texte S. 307–327.

124 Vgl. die zusammenfassenden Sätze in *Culture*, S. 127–129.

125 Andererseits ist verschiedentlich der Nachweis versucht worden, daß die Schrift historische Ereignisse der Ptolemäerzeit (I. Opelt, "Elefant", *RAC* 4, Sp. 1004) oder der frühen Kaiserzeit widerspiegelt. Gegen solche Versuche schon E. Bickermann, "Makkabäerbücher," Pauly-Wissowa, *Real-Encyclopädie der classischen Altertumswissenschaft* 14 (1928), Sp. 779–800, spez. 799f.

126 Vgl. Dan 6:23.

127 Vgl. unten S. 175. Im alltäglichen Zusammenleben fällt besonders das Innehalten der Speisegebote und damit die Verweigerung der Tischgemeinschaft auf, 3:4, siehe unten zu Jos As; ferner ep Arist 181–185.

128 In III Makk sind das die Truppen des Königs. Die *λ"Ελ ηενς* Alexandrias traten zumindest im Anfang tatkräftig für die Juden ein, wenn auch heimlich (3:10).

129 Vgl. *ἔνιοι* 2:31, *ὀλίγους* 3:23.

als gering im Vergleich zu der unzählbaren[130] Menge der Juden); offenbar ist das Problem der Apostaten in der Judenschaft Ägyptens nicht unbedeutsam (vgl. die ausführliche Schilderung des Ausschlusses der Abtrünnigen in 2:33; siehe auch 1:3). Der entscheidende positive Gedanke der Schrift ist der, daß Gott für sein bis zum Tod gesetzestreues[131] Volk[132] eintritt.[133] Dabei geht es in III Makk darum, daß die Judenschaft sich nicht dazu zwingen läßt, an der Religionsübung des Gaststaates[134] teilzunehmen (2:30–32; 3:21), dem gegenüber es sich im übrigen voll und ganz loyal verhält,[135] wie in 3:3[136] betont wird und in 5:31; 6:25; 7:7 der König selbst bezeugt[137] (daß die Treue gegen Gottes Gebote und gegen den König einander entsprechen—7:11—, wird auch sonst im damaligen jüdischen Schrifttum betont).

Wie Gott sein Volk wunderbar[138] beschützt, so auch seinen Tempel: das letztere Motiv bestimmt den ersten Teil des uns erhaltenen III Makk.

130 Für ihre Aufzeichnung kann nicht genügend Schreibmaterial beschafft werden, 4:15, 17, 20! Anscheinend wirkt hier der Satz nach, daß das Volk Israel nicht gezählt werden kann und darf.

131 1:23. Der Gedanke der bedingungslosen Treue gegenüber der Tora bestimmt alle vier Makkabäerbücher. Die Treue zur jüdischen Religion bis in den Tod ist ein in der jüdisch-hellenistischen Literatur verbreitetes Motiv, bis hin zu Josephus. Es verdiente eine eigene Darstellung.

132 Das ist wohl auch der Skopos des Berichtes Jos, Ap 2,53–55, der in bestimmten Zügen von dem des III Makk abweicht.

133 4:21; 5:12f., 28,35; 6:18–21; 7:6,9,22. Dreimal erteilt der König den Befehl der Vernichtung (5:40), dreimal greift Gott ein. — Zum Motiv der Rettung durch Engel (6:18f.) weist M. Zambelli, "La composizione del secondo libro dei Maccabei . . .", in: *Miscellanea Greca e Romana* (Rom, 1965), S. 195–299, auf Dan 6:23 (S. 296; an Dan 6:23 wird III Makk 6:7 erinnert); vgl. aber schon I Makk 7:41 mit dem Hinweis auf II Kön 19:35 (eine Stelle, auf die auch in III Makk 6:5 Bezug genommen wird) usw.

134 Es ist zu bemerken, daß es sich nicht um die gottgleiche Ehrung des Herrschers handelt (anders als unter Caligula, siehe Philo, Gai).

135 Die Spannung, die hier im Verhältnis der Judenschaft zum Staat vorliegt, wird auch sonst sichtbar, speziell in römischer Zeit. Von daher vermutet M. Hadas, "Aristeas and III Maccabees," *HThR* 42 (1949), S. 175–184, daß in III Makk die optimistische Auffassung dieses Verhältnisses korrigiert werden soll, wie sie speziell im Aristeasbrief vorausgesetzt ist.

136 Bemerkenswert die Gegenüberstellung in 3:3/4: *τὴν μὲν πρὸς τοὺς βασιλεῖς εὔνοιαν καὶ πίστιν ἀδιάστροφον ἦσαν διαφυλάσσοντες, σεβόμενοι δὲ τὸν θεὸν καὶ τῷ τούτου νόμῳ πολιτευόμενοι...* Die Versicherung der Staatstreue der Judenschaft spielt in der Literatur der Diaspora eine erhebliche Rolle, etwa in Philo, Gai.

137 Vgl. dagegen die Beschuldigung 3:24. Die Bedeutung des Problems beziehungsweise der entsprechenden Anklage (siehe noch 7:4) im 1. Jahrh. n. C. wird unter anderem bei Josephus (zumal in Ap, zum Beispiel 2, 68) sichtbar, siehe schon Philo, Gai.

138 Zum *παράδοξον* des Waltens der Tyche bei Polybios vgl. Scheller, *De . . . arte* (oben Anm. 105), S. 39f., wenn auch das Verständnis des *παράδοξον* bei Polybios nicht dem in III Makk entspricht; *παράδοξος* hier 6:33.

In ihm (1:9–2:24) zeigt sich wiederum die außerordentliche Hochschätzung des Jerusalemer Tempels durch die Judenschaft der Diaspora Ägyptens. Der Verfasser hat die Vorgänge der Bewahrung des Tempels vor Schändung und des Volkes vor dem Untergang dadurch parallelisiert, daß er beide auf das Gebet eines Priesters hin geschehen läßt; beide Male gibt er einen ausführlichen Gebetstext (2:2–20; 6:2–15;[139] übrigens fehlt in beiden das Schuldbekenntnis nicht, 2:19; 6:10[140]). Die Gefahr der Tempelschändung durch einen heidnischen Herrscher (1:10–15) läßt an die Berichte über Antiochus IV. in I Makk 1:21f. und über Pompeius in Jos, bell 1,152 (bestätigt durch Tac, hist V 9,1) denken; der Verfasser des III Makk wird jedenfalls um den ersten, vielleicht auch um den zweiten Vorgang wissen. Bemerkenswerterweise hat Ptolemäus Philopator nach III Makk 1:9 vor dem Geschehen "dem größten Gott" seinerseits nach einem Sieg Dankopfer dargebracht (Entsprechendes überliefert Jos, Ap 2,48 von Ptolemäus III. Euergetes).

Der erzählende Teil des IV Makk (ab 3:20) entspricht der Darstellung in II Makk 3–7.[141] Doch ist IV Makk 4 wesentlich kürzer als II Makk 3–6 Anfang; den Verfasser des IV Makk interessiert zunächst die wunderbare Abwehr der Gefährdung des Tempelschatzes durch den Beauftragten Seleukos' IV. Philopator (IV Makk 4:4–14 beziehentlich II Makk 3:6–36) und entscheidend das Martyrium des Eleasar und der jungen Männer und ihrer Mutter (IV Makk 5–18; II Makk 6:18–7:42). Die Relationen des IV Makk zu II Makk und anderen jüdisch-hellenistischen Schriften überhaupt bedürften eingehender Untersuchung. Das gilt beispielsweise auch im Blick auf Philon.

Als entscheidende Besonderheit des IV Makk erscheint zunächst der philosophische, insbesondere stoische Rahmen, in den der Bericht speziell durch die Einleitung c. 1–3 gefügt ist. Die Stichwörter, die den ersten Satz der Schrift bestimmen, werden denn auch in der Erzählung ab c. 5[142] mehr oder weniger häufig (teilweise sehr oft) aufgenommen, *φιλόσοφος* beziehentlich seine Derivate (außer Dan 1:20 in Septuaginta

139 Es ist zu bemerken, wie der Verfasser von den gehäuften Gottesprädikaten der Anrede an die Gebete verschieden gestaltet. Daß der Aufbau beider ungefähr gleich ist, versteht sich von der Sache her: Anreden, Berufung auf Gottes Taten in der Geschichte, Übergang zur gegenwärtigen Notlage mit *νῦν*, neue Anreden, Bitte.

140 Dabei ist die Feststellung beachtenswert, daß das Halten der Gebote durch den Aufenthalt in der Fremde erschwert ist.

141 Man beachte die spezielle Übereinstimmung in dem Einsatz II Makk 3:1 / IV Makk 3:20. Zu *βαθεῖα εἰρήνη* (IV Makk 3:20) siehe W. C. van Unnik, "'Tiefer Friede' (1. Klemens 2,2)", *Vigiliae Christianae* 24 (1970), S. 261–279, der die Bedeutung des Ausdrucks von zahlreichen Parallelen her erhellt.

142 Keines begegnet in c. 4.

nur IV Makk), *λογισμός*,[143] *πάθη*,[144] *αὐτοδέσποτος* beziehentlich *αὐτοκράτωρ* (beide in Septuaginta nur IV Makk);[145] von den Kardinaltugenden (1:3f., 6; 2:23) ist wieder in 5:23f. die Rede (vgl. 15:10). Darin wird wohl sichtbar, daß der Verfasser bemüht ist, den in 1:1 aufgestellten Satz an dem Verhalten der Märtyrer als gültig zu erweisen (siehe schon 1:10–12). Aber kennzeichnend ist für die Schrift der Inhalt der *εὐσέβεια*, auf den der Satz bezogen wird:[146] es ist—auch in dieser Schrift—das unbedingte Ausharren im Gehorsam gegen das Gesetz Gottes.[147] Die alttestamentliche Gesetzgebung ist der *φιλόσοφος λόγος* schlechthin (5:35),[148] die "göttliche Philosophie" (7:9),[149] *ὁ τῆς φιλοσοφίας κανών* (7:21); die Gleichung Tora / Philosophie ist gut Philonisch.[150] Bei dem allen ist zu bemerken, daß es sich bei dem Gebot Gottes, an dem sich das Festhalten an diesem Kanon konkret bewährt, um eine—Speisevorschrift handelt[151] (sie übertreten hieße, *τὸν πάτριον καταλῦσαι νόμον*, die Tora außer Geltung setzen, 5:33).[152] Mit diesen Bemerkungen sei nur darauf hingewiesen, daß Sprache und Aussagegehalt auch des IV Makk eingehender Untersuchung wert sind. Unter anderem verdienen die indirekten oder direkten Paränesen der Schrift Beachtung. Insgesamt wird der Verfasser als Vertreter geprägt jüdischer Frömmigkeit erkennbar werden.[153] Auch der Verfasser des IV Makk gebraucht

143 In IV Makk weit häufiger als sonst in LXX.

144 In LXX findet sich das Substantiv außerhalb IV Makk — wo es sehr häufig begegnet — nur zweimal.

145 Stattdessen *κύριος* 2:7; vgl. 1:19, andererseits 7:23.

146 *εὐσέβεια* begegnet in LXX weitaus am häufigsten in IV Makk.

147 *ἡ πρὸς τὸν νόμον ἡμῶν εὐπείθεια,* 5:16, vgl. 15:9; 9:2. Die Wortgruppe begegnet in LXX nur in IV Makk.

148 Man beachte den parallelismus membrorum in 5:34f. sowie in 7:7.

149 Vgl. "göttliche Gesetzgebung" 17:16, *θεῖος νόμος* 6:21; 11:27, weiterhin 5:18.

150 *'Ιοδαικὴ φυσοφιλοία* Gai 245; am Sabbat geschieht die öffentliche Unterweisung in der Philosophie der Väter, ebd. 156; somn 2,127; Mos 2,216; die Prädikation *πάτριος* ist sichtlich von der des *νόμος* im jüdisch-hellenistischen Sprachgebrauch her (belegt beispielsweise in II.IV Makk) übertragen. Vgl. Anm. 241.

151 Von Schweinefleisch ist ausdrücklich in 5:2,6; 6:15 die Rede, von Götzenopfer in 5:2.

152 Vgl. 17:9 und dazu 8:7, *πολιτεία,* beide Male im Sinn von Verfassung; siehe ferner II Makk 4:11 (Substantiv 8:17). Der Gebrauch von *καταλύω (νόμους)* im Sinn von aufheben, abschaffen ist sichtlich fixiert (er ist übrigens bereits vorbiblisch), II Makk 2:22; Philo, spec 3,182.112; Flacc 52; Matth 5:17.

153 Die Bezugnahmen auf die Patriarchen sind nur einer der Züge, die darauf weisen, 7:19; Abraham, Isaak und Jakob empfangen die Märtyrer, 13:17 (vgl. 16:25); mehrfach wird auf die Bereitschaft Isaaks zur Opferung angespielt, 13:12 (*'Ισάκιος λογισμός* 7:14), beziehentlich auf die Bereitschaft Abrahams,

zwar als Rahmen dessen, was er sagen will,[154] die hellenistische Form, das heißt hier: die des Erweises eines philosophischen Satzes (1:1).[155] Schon das allgemeinere Demonstrationsmaterial für den Erweis in der philosophischen Einleitung entnimmt er jedoch alsbald dem Alten Testament, seinen Vorschriften und Erzählungen (1:30–3:18). Worum es ihm geht, das ist die Beurkundung der Gesetzestreue, die die Märtyrer geleistet haben und mit der sie für ihr Volk eingestanden sind (16:16),[156] die an ihnen exemplarisch sichtbar wird; und damit will er hinaus auf das Rühmen Gottes—mit ihm soll sein Bericht einsetzen (1:12), und mit ihm beschließt er sein Buch (18:24).

Der etwa um 100 n. C. sehr wahrscheinlich in Ägypten entstandenen Schrift Joseph und Aseneth wird seit rund zwei Jahrzehnten zunehmende Aufmerksamkeit gewidmet, das heißt, vor allem ihrem mit der Hochzeit von Joseph und Aseneth (c. 21) endenden Hauptteil. Ihr Verfasser hat es verstanden, ein literarisches Genre der hellenistischen Unterhaltungsliteratur[157] ganz in den Dienst der religiösen Aussage des Judentums[158] zu stellen.—Kontrovers ist bezüglich Jos As zunächst die Frage des Textes der in verschiedenen Fassungen vorliegenden Schrift. C. Burchard, der ihr in subtilen Untersuchungen wichtiger Stücke nachgegangen ist,[159] bevorzugt im ganzen einen längeren, der Editor M. Philonenko[160] einen kürzeren[161] Texttyp. Doch ist das Verständnis der wichtigeren Aussa-

ihn zu opfern, 14:20; 15,28; 16:20; 18:11, vgl. zu beiden in der palästinischen Literatur ant bibl 18:5; 32:2–4. Die Jünglinge werden als Ἀβραμιαῖοι gekennzeichnet, IV Makk 9:21; 18:23 (vgl. V. 1), die Mutter als Ἀβραμῖτις, 18:20, die Juden als Abrahamssöhne, 6:17,22.

154 Daß der Schrift eine tatsächlich gehaltene Predigt zugrundeliegt, versuchte Adolf Schlatter, *Der Märtyrer in den Anfängen der Kirche* (Gütersloh, 1915), S. 42–45 aufzuzeigen.

155 ἐπιδείκνυμι entsprechend 1:17; 6:35 (vgl. aber auch 1:9).

156 Nicht die Bewährung der stoischen ἀπάθεια, an die Eduard Norden, *Die antike Kunstprosa* I (Leipzig, 1923), S. 417 zu IV Makk erinnert (auch der philosophische Leitsatz in 1:1 meint indessen sichtlich etwas anderes, siehe oben). Die Wortgruppe kommt in der ganzen LXX nicht vor.

157 Die Verwandtschaft mit dem antiken Roman hebt Christoph Burchard, *Der dreizehnte Zeuge* (Göttingen, 1970), S. 62–85 hervor. Einen synoptischen Vergleich mit Romanen der Zeit führt er — nach der Abfolge von Jos As — S. 66–81 durch.

158 In die Auseinandersetzung darüber, wie weit der antike Roman paganer Herkunft verschlüsselte religiöse Aussagen macht, können wir hier nicht eintreten.

159 Christoph B., *Untersuchungen zu Joseph und Aseneth* (Tübingen, 1965).

160 Marc Ph., *Joseph et Aséneth* (Leiden, 1968). Dazu siehe C. Burchard, "Zum Text von 'Joseph und Aseneth'", *JSJ* 1 (1970), S. 3–34; T. Holtz, *Orientalistische Literaturzeitung* 67 (1972), Sp 49–55.

161 Dazu C. Burchard, *JSJ* 1, S. 18–25. Liegt erst die Ausgabe B.s vor (in Aussicht gestellt ebd. S. 30 mit Anm. 3), so ist ein Vergleich der beiden Textfassungen möglich.

genkomplexe des Romans von der Entscheidung dieser Frage nicht schlechthin[162] abhängig.[163] Der Roman macht sichtbar (7:2–7 Philonenko/Rießler, 47,9–48,9 Batiffol), wie bedeutsam das Problem der Ehe zwischen Juden und Heiden auch—und gerade—in der Diaspora ist (es spielt in palästinischen Schriften der hellenistisch-römischen Zeit eine erhebliche Rolle), und zwar im Zusammenhang der Reinheitsgesetze (8.3–7 Ph./Ri., 48,18–49,13 Ba.).[164] Die Antwort geht—wie in Palästina —dahin, daß nur der Übertritt des heidnischen Teils zum Judentum die Heirat möglich macht. Der Bericht von der Verweigerung der Gemeinschaft durch Joseph, insbesondere aber die eingehende Erzählung von der Bekehrung der Aseneth zeigen, wie scharf der Gegensatz der Religionen empfunden wird. Aseneths Bekehrung beherrscht die c. 10–17 der Schrift—allein das Bußgebet füllt c. 12–13—;[165] tatsächlich wird sie bereits ab c. 8[166] speziell vorbereitet, und erst in c. 21 wirkt sie sich völlig aus.

Die akzentuiert jüdische[167] Haltung der Schrift, die auch im einzelnen weithin durch Vorstellungen und Ausdrucksformen[168] eines herkömmli-

162 Auf sachliche Unterschiede in den Fassungen weist Philonenko, *Joseph* (oben Anm. 160), S. 7f. hin; ferner siehe unten Anm. 163.

163 Mitunter entfallen in der Fassung Philonenkos doch auch nicht unbedeutende Stücke (von dem Selbstgespräch der Aseneth in c. 11 ist bei ihm nichts geblieben) und Züge der längeren Fassung (zum Beispiel 19:11 Rießler, 69,25–70,2 Batiffol).

164 Zu diesen siehe auch 7:1 Ph./Ri., 47. 6–9 Ba.

165 Die Bekehrungsgeschichte einer ganzen Stadt ist in der pseudo-philonischen Schrift de Jona eingeschlossen; vgl. das Schuldbekenntnis in 35, die Beschreibung der Bußaktion in 37f. (dazu vgl. Jos As 10:13 Ph., 10:12 Ri., 52,10–12 Ba.), die freilich ihren Ansatzort in Jon 3:6–8 hat.

166 Vgl. die Segnung der Aseneth durch Joseph, in der er um ihre Neuschöpfung bittet, in 8:10f. Ph., 8:9 Ri., 49,18–50,3 Ba.

167 Philonenko, *Joseph* (oben Anm. 160), S. 54–57 hat hervorgehoben, welche Bedeutung zum Beispiel die *μετάνοια* in diesem Zusammenhang (15:6–8 Ph., 15:7f. Ri., 61,9–23 Ba., vgl. 16:7 Ph., 16:14 Ri., 63,18–64,6 Ba.) hat. Sie ist entscheidend im Sinn der Umkehr zu dem Gott Josephs verstanden (die Bezeichnung "Gott Josephs" begegnet in 3:3 Ph./Ri., 42,19 Ba.; 6:4 Ph./Ri., 46,14f. Ba.). Biblisch bestimmt ist auch die in denselben Zusammenhang gehörige Verwendung von *ἁμαρτάνω* (vgl. *ἀνομία* parallel *ἁμαρτία* 12:4 Ph., 12:3 Ri., 55,6f. Ba., *ἀνομέω* 12:5 Ph., 12:4 Ri., 55,8 Ba.) und *ἐξομολογέομαι* (12:4 Ph., 12:3 Ri., 55,5f. Ba.) beziehungsweise *ἐξομολόγησις* (15:2 Ph./Ri., 60,22f. Ba.) usw.

168 Siehe zum Beispiel *κύριος ὁ θεός* 14:2 Ph., 14:1 Ri., 58,14 Ba.; 15:13 Ph., 15:12 *σου* Ri., 62,11 Ba.; 16:7 Ph., 16:14 Ri., 64,4f. Ba.; 23:13 Ph., mit folgendem Genetiv 3:4 Ph., 3:3 Ri., 42,19 Ba.; 8:10 Ph., 8:9 Ri., 49,18f. Ba.; 12:2 Ph., 12:1 Ri., 54,21f. Ba.; 21:3 Ph., 21:4 Ri., 71,13f. Ba.; 27:8 Ph., 27:10 ohne *μου* Ri., 82,5 Ba. Vgl. zu der Bezeichnung in Apokryphen und Pseudepigraphen Wolf Wilhelm Graf Baudissin, *Kyrios als Gottesname im Judentum und seine Stelle in der Religionsgeschichte* II (Gießen, 1929), S. 142–147.

chen Judentums gekennzeichnet ist,[169] legt es nahe. Wendungen und Bilder,[170] die an Vorstellungen heidnischer Religionen erinnern,[171] daraufhin zu prüfen, ob sie nicht entscheidend entmythisiert[172] und umgemünzt sind (dazu ist unter anderem die völlig jüdische Weise zu bedenken, in der über heidnische Götter gesprochen wird, 8:5 Ph./Ri., 49,6 Ba.; 12:5 [f.] Ph./Ri., 55,9–12 Ba.).[173] Hier muß insbesondere die weitere religionsgeschichtliche Untersuchung des Aussagematerials von Jos As ansetzen.[174] Nicht zuletzt sind die Rückbezüge auf das Alte Testament[175] bei der Gesamtdeutung von Jos As zu beachten.—Kontrovers ist schließlich die Frage christlicher Interpolationen in Jos As, die neuerdings wieder von T. Holtz[176] zur Diskussion gestellt wurde. Besonders bedeutsam sind in diesem Zusammenhang die Aussagen über die Speisung der Neubekehrten beziehungsweise der Gläubigen mit Honig (16:7–9 Ph., 16:14f. Ri., 64,4–10 Ba.) und die Salbung in Verbindung mit dem Empfang von Brot und Becher (15:4 Ph., 15:5 Ri., 61,6f. Ba.: 8:5 Ph./Ri.,

169 "Sie gehe ein in deine Ruhe, die du deinen Auserwählten bereitetest" (8:11 Ph., 8:9 Ri., 50,1f. Ba.; dazu siehe 22:9 Ph., 22:13 Ri., 73,19f. Ba.! Zum Gedanken des jenseitigen Ruheortes im frühjüdischen Schrifttum siehe Otfried Hofius, *Katapausis. Die Vorstellung vom endzeitlichen Ruheort im Hebräerbrief* [Tübingen, 1970], S. 59–73; für Jos As 8:11 Ph., 8:9 Ri., 50,1f. Ba. denkt Hofius speziell an eine Einwirkung von Ps 95 [94]:11; die sprachliche Nähe ist in der Tat bemerkenswert). Siehe weiterhin zum Beispiel die Eulogien 3:4 Ph., 3:3 Ri., 42,19 Ba.; 15:13 Ph., 15:12 Ri., 62,11 Ba.; "Gnade finden vor . . ." 15:14 Ph., 15:13 Ri., 62,13f. Ba. (Gn 30:27; 33:15; 47:29; 50:4 usw.).

170 Bei der Schilderung Josephs in 5:4–6 Ph., 5:4f. Ri., 43,13–22 Ba. etwa, die Helios-Motive aufzugreifen scheint, handelt es sich offenbar doch nur um ein vergleichsweises Reden, siehe 6:5 Ph./Ri., 46,17 Ba.; 14:9 Ph./Ri., 59,14–19 Ba. Es wird in bescheidenerer Form auch auf Aseneth angewendet, 18:7 Ph., 18:9 Ri., 68,8 Ba. Goodenough, *Symbols* kommt anscheinend nicht auf das Helios-Motiv in Jos As zu sprechen, siehe Stellen- und Stichwortregister in XIII.

171 Wir kommen auf ein teilweise ähnliches Problem im Blick auf die darstellende Kunst zurück, siehe unten S. 172. Vgl. die Rezension zu Philonenko. *Joseph* durch C. Burchard, *Theologische Literaturzeitung* 95 (1970), Sp. 253–255, spez. 254.

172 Vgl. zum Beispiel Burchard, *Zeuge* (oben Anm. 157), S. 83 Anm. 93.

173 Von den Namen und Gesichtern der *εἴδωλα* auf dem Schmuck Aseneths ist schon in 3:10 Ph., 3:6 Ri., 43,7–9 Ba. ausführlich die Rede, von den Göttern des Landes in ihrer unmittelbaren Umgebung in 2:4f. Ph., 2:3 Ri., 41,4–7 Ba., siehe dann 12:5,9 Ph./Ri., 55, 9f. und 56,2 Ba. — wo die Ägypterin bereits völlig jüdisch von den "Göttern der Ägypter" spricht—.

174 Beiträge dazu dürfen auch von einer in Claremont, Calif. entstehenden Dissertation von Edgar W. Smith jr. über Jos As und die frühchristliche Literatur erwartet werden.

175 Hinweise auf solche wiederholt bei Philonenko, *Joseph* (oben Anm. 160).

176 "Christliche Interpolationen in 'Joseph und Aseneth' ", *NTS* 14 (1967/68), S. 482–497.

49,5 Ba.) sowie bestimmte Züge der Charakterisierung des Joseph (zumal die Bezeichnung als Sohn Gottes). Hier wird text-, literar- und traditionskritisch noch intensive weitergearbeitet werden müssen.

Hier etwa wären die vitae prophetarum einzufügen, falls sie auf eine griechisch verfaßte Grundlage[177] zurückgehen sollten, in der aber jedenfalls palästinisches Material benutzt wäre.[178] Aufgefallen ist unter anderem, daß in der vita Jeremiae offenbar vorchristliche ägyptische Traditionen verwertet sind; sie mag ihre besondere Geschichte gehabt haben.

Mit dem Geschick und der Verkündigung eines einzelnen Propheten befaßt sich die bisher kaum[179] beachtete, nur armenisch erhaltene oratio de Jona, die sichtlich einen hellenistischen Juden zum Verfasser hat.[180] Sie geht zunächst vom biblischen Jonabuch aus, stellt aber nicht nur Einzelheiten um, sondern weicht darüber hinaus mehrfach von der kanonischen Darstellung ab. Unter anderem wäre nach den Gründen dafür zu fragen; teilweise deuten sie sich wohl in den zahlreichen Reflexionen des Verfassers an. Die Schrift ist reichlich mit Redegut gefüllt;[181] es macht mehr als die Hälfte des Ganzen aus. Nach H. Lewy[182] ist die Übersetzung von Joh. Bapt. Aucher[183] teilweise unzureichend und deshalb durch eine andere, auf dem durch Lewy herausgegebenen armenischen Text basierende zu ersetzen.[184] Vorläufige Untersuchungen etwa zum Aufbau oder zu religionsgeschichtlichen[185] Zusammenhängen lassen sich in bestimmtem Umfang indessen wohl schon an Hand der Übersetzung von Aucher durchführen.

Wenigstens erwähnen wollen wir die griechische Baruch-Apokalypse und die wahrscheinlich ursprünglich ebenfalls griechisch geschriebene

177 Charles Cutler Torrey, *The Lives of the Prophets* (Philadelphia, 1946) ediert den ältesten erreichbaren griechischen Text.

178 An ein hebräisches Original denkt M. Philonenko, "Prophetenleben", *Biblisch-Historisches Handwörterbuch* 3 (Göttingen, 1966), Sp. 1512f., ebenso Torrey (oben Anm. 177).

179 Jacob Freudenthal, *Die Flavius Josephus beigelegte Schrift über die Herrschaft der Vernunft* (*IV Makkabäerbuch*) (Breslau, 1869), S. 9–11.145–147.

180 Hans Lewy, *The Pseudo-Philonic de Jona,* Part I, Studies and Documents 7 (London, 1936), S. 24; sie ist ein Werk der asianischen Rhetorik, S. 22.

181 Vgl. oben S. 141; Anm. 165.

182 *Jona* (oben Anm. 180), S. 2.

183 Mir zugänglich in C. E. Richter, *Philonis Judaei opera omnia* VII (Leipzig, 1830), S. 377–407.

184 Das Erscheinen von Teil II der Arbeit von Lewy (oben Anm. 180), der nach Lewys Hinweisen in Teil I unter anderem eine englische Übersetzung der armenischen und teilweise Rekonstruktionsversuche zum griechischen Text enthält, ist in Aussicht gestellt (Brief Dr. M. E. Stone 31. Juli 1972).

185 Etwa zum Verständnis des Propheten als Fürsprechers in 36 oder zur Kennzeichnung des neuen Lebens der Bekehrten in 39.

slawische Henoch-Apokalypse. Daß beide christlich überarbeitet wurden, ist deutlich; es muß versucht werden, den Umfang der Überarbeitung soweit wie möglich zu klären. Sodann sind die Zusammenhänge mit der jüdischen und der hellenistischen Vorstellungswelt zu untersuchen;[186] in gr Bar sind hellenistische Einflüsse ohne weiteres in den Ausführungen über den Sonnenwagen und den Vogel Phönix in c. 6 zu erkennen. Die kleine Schrift ist auch abgesehen von den christlichen Passagen in ihrer Linienführung nicht geschlossen; wahrscheinlich ist sie uns nur in gekürzter Form erhalten.[187] Schwieriger ist die Lösung der teilweise ähnlichen Aufgaben für sl Hen, eine nur in Übersetzung und in Fassungen von verschiedener Länge erhaltene Schrift.[188] Man nimmt im allgemeinen an, daß sie in Ägypten entstand.[189] Uns interessieren beide Schriften nicht zuletzt als Belege dafür, daß es auch in der griechisch schreibenden Diaspora sogenannte apokalyptische Texte gegeben hat, die sich mit kosmologischen Stoffen befaßten (gr Bar 6–9; sl Hen 3–6. 11–16)[190] und zugleich Auskunft über die Aufenthaltsörter der verschiedenen Gruppen von Verstorbenen gaben (gr Bar 2–5. 10; sl Hen 7–10). Daß sich dabei "hellenistische" und jüdische Darstellungs- und Vorstellungsweisen verbinden, liegt nahe.

Daß im hellenistischen Judentum auch die apokalyptische Erwartung lebendig war, zeigt sich etwa in Philo, praem 163–171 (dabei wird in 163f. auf Dt 30: 1–4 zurückgegriffen), siehe schon praem 88–97 beziehungsweise 110 (auch hier werden mehrere Stellen der Tora offenbar auf die Heilszeit gedeutet). Eine besondere Rolle spielen die Rückführung der Gola nach Palästina (165f. — dabei ist davon die Rede, daß die Frömmigkeit der Erzväter der Judenschaft vor Gott Beistand leistet[191] —; siehe schon 117),[192] die Erscheinung einer offenbar messianischen Gestalt (95 — *ἐξελεύσεται ἄνθρωπος ἐκ τοῦ σπέρματος αὐτοῦ καὶ κυ-*

186 Wieweit das für gr Bar durch Wilhelm Weber-Ostwalden, *Versuch einer Erklärung und Sinndeutung der griechischen Baruch-Apokalypse* (Diss. theol. Graz, 1956) geschehen ist, konnte ich nicht feststellen.

187 Daß die Erfüllung der Zusage, Baruch werde die Herrlichkeit Gottes schauen (6:12; 7:2; 11:2), nicht mehr berichtet wird (siehe dagegen sl Hen 21f.), ist nur eine der auffallenden Beobachtungen.

188 Siehe eben zur Frage der Kurzfassung von gr Bar.

189 Vgl. beispielsweise M. Philonenko, "La cosmogonie du 'Livre des secrets d'Hénoch' ", in: *Religions en Égypte hellénistique et romaine. Colloque de Strasbourg 16–18 mai 1967* (Paris, 1969), S. 109–116.

190 Ein Gegenstück dazu bilden in etwa die Äußerungen des Propheten über seine Beobachtungen und Erwägungen auf seiner Meeresfahrt im Bauch des Walfisches bei Ps.-Philo, de Jona 42f.

191 Vgl. [Hermann L. Strack —] Paul Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch* I (München, 1926), S. 29.

192 Auf sie wird offenbar auch in spec 2,168 angespielt.

ῥιεύσει ἐθνῶν πολλῶν Num 24:7 LXX! — .165) und ein allgemeiner Friedenszustand[193] (88–90.97).[194]

Ursprünglicher und unmittelbarer drückt sich die apokalyptische Zukunftsschau in den orac Sib aus. Ehe wir auf sie eingehen, wollen wir uns kurz mit einer zeitlich früheren Dichtung beschäftigen. Das hellenistische Judentum hat im 2. Jahrh. v. C. selbst die literarische Form des Dramas der religiösen Aussage dienstbar gemacht. Bemerkenswerterweise bildet das grundlegende Heilshandeln Gottes in der Herausführung aus Ägypten[195] den speziellen Stoff des einzigen aufbewahrten Beispiels. Die erhaltenen Fragmente reichen von Ex 1:1, von der Einwanderung der "Söhne Israels" nach Ägypten, bis zum Schluß von Ex 15; das heißt, daß das Drama nicht mit der wunderbaren Rettung am Schilfmeer endete (die übrigens durch einen Entronnenen berichtet wird, 193–242), sondern wenigstens noch vom Anfang der Wüstenwanderung handelte.[196] Sowohl die Beziehungen der Ἐξαγωγή des Ezechiel zur griechischen Tragödie[197] wie die zur Septuaginta, die bis in das Sprachliche hineingehen, sind schon vor einiger Zeit monographisch behandelt worden,[198] ohne daß damit alles darüber gesagt sein wird. Jedenfalls sollten die besonderen Aussagen des Dramas und die Akzente, die es setzt, weiterhin untersucht werden (die Feier des Passa zum Beispiel wird zweimal durch Gott

193 Daß das entfaltete Zukunftsbild irdische Züge trägt, hat es mit der palästinischen Erwartung gemein, siehe etwa Ps Sal 17:21–31.

194 Daß Philon teilweise zurückhaltend formuliert, ist von der Situation her verständlich. Schlatter, Märtyrer (oben Anm. 154), S. 80f. Anm. 76 nimmt an, daß in praem 163–166 (mindestens; Schlatter gibt Mangey II 435.436 an) vorphilonischer Text verarbeitet ist.

195 I. Trencsényi-Waldapfel, "Une tragédie grecque à sujet biblique," *Acta Orientalia Academiae Scientiarum Hungaricae* 2 (1962), S. 143–164, spez. 152 betont, daß nicht Mose der Heros des Dramas ist, sondern das Volk Israel; dagegen möchten wir an dem oben formulierten Satz festhalten. Gott handelt an seinem Volk durch Mose. Dieser wird bereits in Ex 2:1–10 durch die Geschichte von seiner wunderbaren Bewahrung nach der Geburt herausgehoben, die in der Exagoge durch ihn selbst erzählt wird (14–31). In einem Traum (74–76) empfängt Mose Szepter, Diadem und Thron von Gott.

196 Trencsényi-Waldapfel (oben Anm. 195), S. 149 meint, daß das Drama mit der Verarbeitung von Ex 15:27 geschlossen habe, siehe dazu besonders S. 152f. (den Geschehensablauf der Exagoge versucht Trencsényi-Waldapfel vor allem S. 154f. zu rekonstruieren).

197 Wurde früher besonders auf Dramen des Euripides verwiesen, so neuerdings auf die Perser des Aischylos, B. Snell, "Die Jamben in Ezechiels Moses-Drama," *Glotta* 44 (1966), S. 25–32.

198 Joseph Wieneke. *Ezechielis Judaei poetae Alexandrini fabulae quae inscribitur Ἐξαγωγή fragmenta* (Diss. phil. Münster, 1931), S. 2–23 stellt im Editionsteil die Texte von Exagoge und LXX einander gegenüber: er zieht überdies Vergleiche in seinem Kommentar. In diesem geht er auch auf das Verhältnis zu paganen Texten ein.

angeordnet, 157–160. 167–174 und 175–189).[199] Davon, daß das Drama Chorlieder enthalten habe, wird bei Euseb nichts sichtbar. Nachdem der Bericht über die Vorgänge am Schilfmeer einem Ägypter in den Mund gelegt wurde, war es zwar nicht unmöglich, aber doch zumindest nicht naheliegend, sozusagen das Lied des Mose (Ex 15:1–18) durch einen Chor von Israeliten singen zu lassen.

Bruchstücke von poetischen Darstellungen der Vätergeschichte sind uns wiederum durch Alexander Polyhistor bei Euseb aufbewahrt; die Form des Hexameters erinnert an die epische Dichtung (Philon der Ältere: Euseb, praep ev IX 20,1; 24,1; 37,1–3; Theodotos ebd. 22,1–11). In den erhaltenen Versen Philons über Abraham spielt übrigens wieder die Opferung Isaaks eine Rolle (20,1).

In Hexameter sind auch die vorhin nur eben erwähnten apokalyptischen Aussagen in den orac Sib gefaßt, deren Ursprung heute überwiegend nach Alexandria verlegt wird.[200] An die apokalyptische Literatur Palästinas erinnert neben den Partien, die spezifische Zukunftserwartung wiedergeben, auch die Darstellung der Vergangenheit (einschließlich der Geschichte Israels, 3,248–281) in Gestalt der Weissagung. Die orac Sib denken zumindest auch an heidnische Leser, wie in dem wiederholten Ruf zur Umkehr,[201] der zumal angesichts des drohenden Gerichtes Gottes ergeht, aber wohl auch in der Polemik gegen den Götzendienst[202] sichtbar wird. Nachdem längere Zeit A. Kurfess das Feld der Sibyllinen-Forschung nahezu beherrscht hatte,[203] ist inzwischen das Interesse an ihr hinsichtlich der jüdischen Sibyllinen neu erwacht. Eine gesonderte kommentierte Ausgabe bietet V. Nikiprowetzky für Buch 3,[204] den ältesten und wohl bedeutendsten Teil der jüdischen Sibylle.[205] Eine entsprechende

199 Das Jüdische in der Exagoge betont Snell (oben Anm. 197).

200 Zum Beispiel von B. Noack, "De Sibyllinske Oraklers baggrund," *Svensk Exegetisk Årsbok* 31 (1966), S. 64–79, spez. 73f.

201 Zum Beispiel in 4,161–169; 3,624–632; er wendet sich speziell an die Heiden, siehe auch fragm. 1 Geffcken; vgl. die Beschreibungen der Umkehr der Heiden, 4,24–34; 3,715–724. Das jüdische Volk dagegen wird um seines ethischen Verhaltens willen gerühmt, 3,218–247.

202 Fragm. 3 Geffcken; Buch 3,585–590.

203 Aurelio Peretti, *La Sibilla Babilonese nella propaganda ellenistica* (Florenz, 1943) war mir nicht zugänglich.

204 Valentin Nikiprowetzky, *La Troisième Sibylle* (Paris, 1970). N. stellt unter anderem die Theologie von Buch 3 dar (S. 71–194), behandelt Sprache und Stil, gibt Text, Übersetzung (S. 291–331) und Anmerkungen (S. 333–353) sowie Indices, darunter einen Index Graecitatis (S. 357–373).

205 In der Bezugnahme auf Sib 3,97–104 bei Jos, ant 1, 118 wird offenbar Alexander Polyhistor benutzt, vgl. Euseb, chron I 2 (p. 12,10–14 Karst, GCS 20). Die Bedeutung von Gn 11 im nachbiblischen Judentum wäre eine Untersuchung wert.

Bearbeitung wäre für die übrigen[206] jüdischen Stücke der Sibyllinen sehr erwünscht; insbesondere sollte dabei nach der Relation der Aussagen zu anderweit belegten jüdischen Vorstellungen[207] gefragt werden.

Dadurch, daß man die jüdische Gottesauffassung, die jüdische Geschichtsschau, die jüdische Zukunftserwartung in Gericht und Heil der Sibylle in den Mund legt, macht man die heidnische Seherin zur Künderin der jüdischen Religion. Entsprechendes geschieht, wenn man heidnischen Dichtern Verse zuschreibt, die vor allem den jüdischen Gottesgedanken bezeugen (Tragiker und Komiker[208]), insbesondere etwa Gottes Allgewalt preisen (ein Orpheus zugeschriebenes Gedicht[209]), oder aber Verse aneinanderreiht, die die Bedeutung des siebenten Tages (nach jüdischem Verständnis: des Sabbats) herausstellen[210] (Homer, Hesiod, Linos). Im übrigen bedürfen die beiden ersten Gruppen von Versen angeblich heidnischer Herkunft weiterhin der speziell geistes- beziehentlich religionsgeschichtlichen Einordnung.[211] Tritt an die Stelle des Wortschatzes der Septuaginta weithin ein außerbiblischer, so klingt doch die biblische Redeweise des öfteren durch (etwa in Aussagen über Gott als den Herrn der Schöpfung); vor allem aber ist das Gedankengut (nach beiden Seiten, das heißt auch nach der paganen) zu vergleichen.

Einem heidnischen Dichter längst vergangener Zeiten (6. Jahrh. v. C.) wird ein im 1. oder 2. Jahrh. n. C. entstandenes Lehrgedicht zugeschrieben, in dem allgemein menschliche und spezifisch jüdische Anweisungen sich mischen. Unter den letzteren sind so speziell alttestamentliche wie das Verbot, Vogelmutter und Junge miteinander sich anzueignen (84f.,

206 A. M. Kurfess betrachtet den jüdischen Anteil an den Sibyllinen als sehr umfangreich, siehe zum Beispiel Ders., "Oracula Sibyllina XI (IX) — XIV (XII) nicht christlich, sondern jüdisch," *Zeitschrift für Religions- und Geistesgeschichte* 7 (1955), S. 270–272. So ist nach ihm Buch XI "in der spätaugusteischen Zeit von einem alexandrinischen Juden verfaßt" (S. 270), usw. Vgl. Ders., *Sibyllinische Weissagungen* (München, 1951).

207 Über die Hinweise im Sachapparat bei Joh. Geffcken, *Die Oracula Sibyllina* (Leipzig, 1902) hinaus.

208 "Menander" schärft in einer Reihe von Versen ein: Gott will nicht Opfer, sondern Gehorsam, *θεῷ δὲ θῦε διὰ τέλους δίκαιος ὤν,* Clemens Alex, strom V 120,2. — Zusammenstellung der Texte bei Denis, *Fragmenta,* S. 161–163. 167–171. 173.

209 Walter, *Aristobulos,* S. 172, weiterhin S. 184–187, eingehend 202–261. W. datiert die Urfassung gegen Ende des 1. Jahrh. v. C. (S. 260). Vgl. Denis. *Fragmenta,* S. 163–167. Die Bedeutung des jüdisch-orphischen Gedichts unterstreicht Martin P. Nilsson, *Geschichte der griechischen Religion* II (München, [2]1961), S. 428f.

210 Über die "Siebenerverse" Walter, *Aristobulos,* S. 150–171.177–179. Vgl. Denis, *Fragmenta,* S. 171f. Jüdischer Herkunft sind nur einige davon, siehe die Liste bei Walter S. 165f.

211 Auf der Grundlage der in Anm. 209 genannten Untersuchungen von N. Walter.

nach Dt 22:6f.; Dekalog: 3–17).[212] Mehrere Abhandlungen sind den gnomischen Versen einmal vor rund sechzig Jahren gewidmet worden; immerhin ist die Schrift nicht uninteressant als Versuch, jüdische Ethik[213] als allgemeingültig zu propagieren.[214] Ein Philon etwa hat das allerdings — ohne heidnische Maske — unvergleichlich besser gemacht; Pseudo-Phokylides wendet sich aber wohl auch an andere Kreise.—

Versuche, in Prosa jüdisches Glaubensgut in die Rede- und Denkform der hellenistischen Umwelt zu fassen, liegen uns ebenfalls bereits aus dem 2. Jahrh. v. C. vor.[215] Für Aristobulos hat das N. Walter eingehend gezeigt und ihn damit zugleich in die Geistesgeschichte des hellenistischen Judentums und seiner Zeit überhaupt eingeordnet.[216]

In der Zeit vom Ende des 2. bis zum Ende des 1. Jahrh. v. C. sind eine Reihe von Schriften in griechischer Sprache (zum Teil in Palästina[217]) entstanden, die sich mit Ereignissen und Gestalten der Geschichte Israels befassen; kürzere und längere Fragmente davon sind uns überwiegend durch die Exzerpte eines paganen Schriftstellers des 1. Jahrh. v. C. erhalten worden.[218] Interessanterweise ist darunter ein größeres Exzerpt der Vita des Mose eines Artapanos,[219] die, wohl um seine Bedeutung für Ägypten herauszuheben, Mose zum Beispiel eine Stiftertätigkeit bezüglich des ägyptischen Kultes, selbst des Tierkultes, zuschreibt, wenn auch ohne die jüdische Religion damit zu vermengen.[220] Steht Artapanos

212 Vgl. weiterhin zu 22 Prv 3:28; zu 147f. Ex 22:30 usw.

213 Jüdische Parallelen, nicht zuletzt bei Josephus, weist A. Beltrami, "Spirito giudaico e specialmente essenico della Silloge Pseudofocilidea," *Rivista di Filologia e d'Istruzione Classica* 41 (1913), S. 513–548, nach.

214 Daß der Verfasser jedenfalls auch an heidnische Leser denkt, zeigt die Mahnung, die Zugezogenen als gleichberechtigt zu behandeln (39f.).

215 Überblick und Beurteilung der Fragmente der Frühzeit bei N. Walter, "Frühe Begegnungen zwischen jüdischem Glauben und hellenistischer Bildung in Alexandrien," in: Ch. Welskopf (Hrsg.), *Neue Beiträge zur Geschichte der alten Welt* I (Berlin, 1964), S. 367–378.

216 Teil I 4: "Die Thora-Auslegung . . ." (S. 124–148); siehe auch schon S. 41–51.

217 Zu Eupolemos: Nikolaus Walter, *Untersuchungen zu den Fragmenten der jüdisch-hellenistischen Historiker* (Theol. Habilitationsschrift Halle, 1967), S. 37–65 (Übersetzung der Fragmente S. 49–56).

218 Eine gesonderte Ausgabe durch N. Walter — mit ausführlichen Einleitungen und Sachapparat — steht bevor; siehe zunächst die in Anm. 217 genannte vorläufige Fassung.

219 Vgl. Wiedergabe und Beurteilung durch G. Vermès in: *Moses in Schrift und Überlieferung* (ohne Hrsg.; Düsseldorf, 1963), S. 67–73, innerhalb einer Skizze "Das Mosesbild des hellenistischen Judentums," ebd. S. 62–74, siehe Ders. S. 87–91 (teilweise) zu Josephus, B. Botte ebd. S. 173–181 zu Philon. Die Skizzen sollten zu einer Monographie über das Mosebild des hellenistischen Judentums anregen.

220 Vgl. N. Walter, *Untersuchungen* (oben Anm. 217), S. 63. Der Text bei Euseb, praep ev IX 27,1–37.

mit solcher Umzeichnung des Bildes Moses als des Mittlers des einen Gottes, der einzig in der Form der jüdischen Religion zu verehren ist, innerhalb der uns bekannten jüdischen Literatur allein, so sollte man gerade deshalb den Versuch machen, seinen Motiven ein Stück weiter nachzugehen.

Unter dem Namen des Hekataios von Abdera (Anfang 3. Jahrh. v. C.) sind schließlich[221] — ganz überwiegend bei Josephus — Bruchstücke einer Schrift "Über die Juden" überliefert, die sich auf die Zeit Alexanders des Großen und Ptolemaios' I. beziehen; sie ist aller Wahrscheinlichkeit nach jüdischer Herkunft.[222]

III

Erheblich umstritten ist die Frage nach der Zielsetzung der Literatur, die uns in dieser Übersicht begegnet ist.[223] Wurde sie weithin etwas pauschal als Missionsliteratur oder auch als apologetische[224] Literatur gekennzeichnet, so hat V. Tcherikover vor einiger Zeit dem nachdrücklich widersprochen und die Gegenthese aufgestellt, das besprochene Schrifttum sei überwiegend zunächst für den innerjüdischen Gebrauch bestimmt.[225] Seine eindrucksvolle Kritik hat weithin nachdenklich gemacht und zu vorsichtigeren Urteilen geführt. Im einzelnen bleibt hier noch vieles zu tun und neu zu bedenken. Tatsächlich werden unsere

221 Die teilweise oder vollständige Herkunft der Heraklitbriefe 4 und 7 wird neuerdings wieder nachdrücklich bestritten, J. Strugnell — H. Attridge, "The Epistles of Heraclitus and the Jewish Apocrypha: A Warning," *HThR* 64 (1971), S. 411–413.

222 Dazu Walter, *Aristobulos*, S. 173–177. 187–194. Texte: Denis, *Fragmenta*, S. 199–202.

223 Zwei eindeutig nach außen gerichtete Schriften eines hellenistischen Juden sind uns mit Philo, Flacc sowie dessen Gai erhalten. Sie haben speziell die jüdische Religion und ihren Schutz im Auge, den die Regierenden zu üben haben und — über dem Gott wacht; vgl. F. W. Kohnke in: *Philo von Alexandria. Die Werke in deutscher Übersetzung*, hrsg. L. Cohn etc., VII (Berlin, 1964), S. 175 Anm. 1 zu Gai: "Die Vorsehung Gottes ... ist Hauptanliegen der Schrift."

224 Daß es eine apologetische Literatur des hellenistischen Judentums gegeben hat, wird meines Erachtens an Jos, Ap deutlich. Merkwürdigerweise ist die Frage nach dem hier verwendeten Material wenig beachtet worden, obwohl sie sich für Ap besonders nahezulegen scheint. Nicht zuletzt sind in diesem Zusammenhang die Partien von Ap 2 interessant, in denen Josephus Apologetik treibt durch Unterweisung im Judentum (etwa ab 2,151).

225 "Jewish Apologetic Literature Reconsidered," in: *Symbolae Raphaeli Taubenschlag dedicatae* III (Wroclaw-Warschau, 1957) = *Eos* 48.3 (1956). S. 169–193. T. hat die These auch für den Aristeasbrief durchgeführt, "The Ideology of the Letter of Aristeas," *HThR* 51 (1958), S. 59–85.

Texte weithin zunächst jüdische Leser im Blickfeld haben,[226] die sich in einer ständigen Berührung und damit auch in einer inneren Auseinandersetzung mit der hellenistischen Umwelt befinden, zum Teil auch deren kritischen Fragen[227] nach ihrer religiösen Haltung ausgesetzt sind, die sich also zuerst einmal selbst über diese klar werden müssen und dann auch nach außen Rede und Antwort zu stehen haben. Daß das im stillen oder verbalen Gespräch mit der Umwelt gewonnene Verständnis der jüdischen Religion dann auch in bestimmten Kontaktsituationen werbende Kraft auszuüben vermag, liegt nahe. Damit soll der Frage nach dem Skopos je der einzelnen Schrift nicht ausgewichen werden; wir haben da und dort dazu bereits Antworten angedeutet. Schließlich ist aber etwa auch eine zunächst auf Werbung oder Verteidigung ausgerichtete, jedenfalls nach draußen gewandte Schrift (als solche gibt sich ausdrücklich beispielsweise der Aristeasbrief) geeignet, Juden zu erbauen oder ihrer Religion gewiß zu machen.

Daß das hellenistische Judentum eine werbende Kraft ausgestrahlt hat,[228] ist wohl schon von der erheblichen Zahl[229] der *'Ιουδαῖοι*, das heißt der Mitglieder der jüdischen Kultgemeinden[230] her anzunehmen;[231]

226 Eine gewise Parallele: die Übersetzung der Bibel ins Griechische ist zunächst gewiß für die jüdische Gemeinde angefertigt worden; der Aristeasbrief weist seinerseits auf das Interesse der Umwelt an ihr —beides muß sich letzten Endes nicht widersprechen. Claire Préaux, "De la Grèce Classique à l'Égypte Hellénistique. Traduire ou ne pas traduire", *Chronique d'Égypte* 42 (84) (1967), S. 369–383, stellt die Äußerungen in ep Arist 38.314–316 in einen größeren zeitgeschichtlichen Zusammenhang (zu ep Arist spez. S. 379f.).

227 Heiden stellen die Frage in ep Arist 129 (vgl. oben S. 146 mit Anm. 88).

228 Dabei spielt — unter anderem — auch das Alter der jüdischen Religion eine Rolle (dazu Walter, *Aristobulos,* S. 44–54, mit weiteren Literaturangaben). Vielleicht steht auch eine gewisse Anziehungskraft des Fremdartigen damit in Zusammenhang (das kann schon mit den besonderen Namen aus dem Alten Testament beginnen).

229 Die Zahlen, die dazu in der neuzeitlichen Literatur angegeben werden, beruhen freilich weithin auf Schätzungen, wenn diese auch ihrerseits auf antike Zahlen zurückgehen; die nach diesen geschätzten Zahlen gehen von einer Hand zur anderen. Hier müßte einmal mit Unterstützung durch Fachleute neu angesetzt werden. Adolf von Harnack, *Die Mission und Ausbreitung des Christentums* I (Leipzig, 1924), S. 11–13 (vgl. schon 9f.), formuliert wesentlich zurückhaltender als die meisten Autoren, die seine Angaben übernehmen.

230 Der Übertretende wird *'Ιουδαῖος*, Jos, ant 13,258; 20,38f.

231 Die Ausgrabungen von Sardes geben einen Hinweis auf Größe und Wohlstand der dortigen Gemeinde, die im 2. Jahrh. n. C. eine Basilika als Synagoge einrichtete, deren Haupthalle etwa für tausend Männer Platz bot, G.M.A. Hanfmann, "The Ancient Synagogue of Sardis", in: *Fourth World Congress for Jewish Studies,* Papers I (Jerusalem, 1967), S. 37–42, spez. 40. — Neuere Grabungsberichte von demselben in *Bulletin of the American Schools of Oriental Research* 191 (1968), S. 2–41; 199 (1970), S. 7–58.

es wird durch die Texte[232] mannigfach bestätigt. In diesem Rahmen wären zum Beispiel die — recht positiven — Aussagen Philons über die Proselyten (*ἐπήλυτοι* usw.) weiterhin[233] abzuhören, ferner die Angaben über den weltweiten Einfluß der jüdischen Religion (zum Beispiel Philo, Mos 2,20f. 25; ganz entsprechend Jos, Ap 2,282) und übrigens auch die paganen Äußerungen dazu (wenngleich beide kritisch zu verwerten sind). Auch in den letzteren deutet sich an, daß es mancherlei Übergänge in der positiven Stellung zur jüdischen Religion gibt,[234] die doch erst mit der Beschneidung von den Männern tatsächlich angenommen wird (das weiß man auch auf der paganen Seite, vgl. Juvenal, sat 14,96–106).

Von einer Mission[235] im spezifischen Sinn des Wortes kann man im Blick auf das hellenistische Judentum kaum reden,[236] auch wenn die jüdische Gemeinde durch ihre Glaubensweise, ihren Gottesdienst, ihren Zusammenhalt und anderes eine bestimmte Anziehungskraft ausübte und sich überdies in den Texten in mannigfacher Weise die Überzeugung ausdrückt, daß die Judenschaft einen besonderen Auftrag innerhalb der Menschheit hat (etwa orac Sib 3,194f. 583–585; Sap 18:4, vgl. Philo, Mos 2,36.44; Jos, Ap 2,293 usw.; siehe auch die Aussage über die stellvertretende priesterliche Funktion des jüdischen Volkes bei Philo, spec 2,163. 166f.; Abr 98[237]). Nicht zuletzt erregte die jüdische Religion in ihrer Praktizierung durch ihre Vertreter die Aufmerksamkeit der anderen (Jos, Ap 2,283), die darum nach ihren Gesetzen fragen (Philo, Mos 2,27, vgl. 43), deren Ruhm die ganze Welt durchdringt (Philo, Mos 1,2, vgl. Jos, Ap 2,280f. 284). —

Die Bearbeitung der Aufgaben, die im Blick auf die verschiedenartigen Texte des hellenistischen Judentums noch zu lösen sind, bildet weithin den Hintergrund für die Darstellung seiner Kultur- und Geistesgeschichte. Eine solche setzte die Auswertung der Literatur ebenso voraus wie die der Monumente der sogenannten bildenden Kunst (von der nachher

232 Jos, ant 14,116 führt Strabo als Zeugen dafür an, daß Ägypten, Kyrene und andere Landstriche die jüdischen Gemeinden durch Annahme der jüdischen Gesetze eifrig vermehrten.

233 Vgl. K. G. Kuhn, "*προσήλυτος* im hellenistischen Judentum," *ThWNT* 6, S. 730–734.

234 Die von B. Lifshitz, "Du nouveau sur les 'sympathisants'," *JSJ* 1 (1970), S. 77–84 gekennzeichnete Haltung stellt eine dieser Möglichkeiten dar.

235 Dieter Georgi, *Die Gegner des Paulus im 2. Korintherbrief* (Neukirchen-Vluyn, 1964), S. 83–187; über "Die Organisation der jüdischen Mission" (gemeint ist die der Diaspora) handelt Georgi S. 83–137 (Stichwörter unter anderem: Wanderprediger, Synagogengottesdienst).

236 So mit Recht Ferdinand Hahn, *Das Verständnis der Mission im Neuen Testament* (Neukirchen-Vluyn, 1963), S. 16; vgl. Joachim Jeremias, *Jesu Verheißung für die Völker* (Stuttgart, 1956), S. 14.

237 Auch Gai 3, vgl. André Pelletier, *Legatio ad Gaium* (Paris, 1972), S. 62 Anm. 5.

noch die Rede sein soll). Zu ihren Voraussetzungen gehörten ebenso die Erhellung seiner Rechtsordnungen, der gesellschaftlichen Beziehungen[238] und anderer Ausprägungen jüdischen Lebens in der Diaspora. Wir kommen damit zu Sektoren zurück, die bereits unter dem Gesichtspunkt einer Geschichte des hellenistischen Judentums überhaupt in unser Blickfeld traten. Tatsächlich steht die Gesamtheit der Lebensäußerungen des hellenistischen Judentums in mannigfachen Wechselbeziehungen untereinander.

Wenn wir hier noch einige Bemerkungen zu einer Darstellung seiner Religion machen, so ist das darin begründet, daß die Religion nach der eigenen Auffassung des hellenistischen Judentums — und ein gutes Stück auch nach dem Urteil seiner Umwelt — die Mitte seines Daseins ausmacht. Auf die gottesdienstliche Seite des Bereichs haben wir schon oben hingewiesen;[239] mit ihr stehen auch die Ausdrucksformen der Frömmigkeit im Leben des einzelnen in unmittelbarer Beziehung.

Hinsichtlich der Gedankenwelt der Religion des Judentums in der Diaspora stellt sich alsbald eine ganze Reihe von Fragen ein: Wie versteht sich die Judenschaft als Volk vor Gott? Wie ist ihr Bewußtsein der besonderen Zugehörigkeit zu Gott begründet und von daher aufzufassen? In welchem Sinn weiß sie sich an Jerusalem und insbesondere an den Tempel gebunden?[240] Was versteht sie unter dem Gesetz — seinem Wesen nach — beziehungsweise unter den Gesetzen; in welchem Verhältnis steht dieses Gesetzesverständnis etwa zur Auffassung von der Tora im palästinischen Judentum?[241] Welche Rolle spielt die Gesetzgebung am Sinai? Welches Offenbarungsverständnis bestimmt die Aussagen über Gott als den in seinem Handeln und in seinem Wort sich Kundmachenden? In welchem Verhältnis steht die Auffassung von Gott als dem Schöpfer zu dem Gedanken des Gottes Israels?[242] Wie wird das

238 Dazu siehe bereits oben S. 138.

239 S. 140 f. Übrigens hat der Gottesdienst der Gemeinde auch soziologische Bezüge.

240 Beide sind — in erneuerter Gestalt — auch in der Diaspora Gegenstand der eschatologischen Hoffnung, orac Sib 5,420–425 — wie in der palästinischen Erwartung, vgl. James Calvin de Young. *Jerusalem in the New Testament* (Diss. theol. Amsterdam, 1960), S. 111–115.

241 Beeinflußt beispielsweise die Rede von dem πάτριος νόμος (IV Makk usw.) das eigentliche Verständnis des "Gesetzes" als Kundgabe des Gotteswillens? Oder ist πάτριος im jüdisch-hellenistischen Gebrauch sozusagen Adjektiv für das vom Alten Testament her geläufige τῶν πατέρων (πάτριος begegnet in LXX mit zwei Ausnahmen nur in II-IV Makk)? Die Bewahrung der πάτρια ist ein von paganer Seite voll anerkannter Grundsatz, deshalb ist man geneigt, sie auch der Judenschaft zuzugestehen, Celsus bei Orig, Cels 5,25. Vgl. Anm. 150.

242 Das Prädikat in II Makk 9:5. Was schließt die Verwendung des Namens Israel als Bezeichnung des Volkes ein (mehrfach je in II.III Makk, ferner in IV Makk 17:22)?

Heilshandeln Gottes an seinem Volk[243] verstanden; welche Bedeutung wird zum Beispiel der Erwählung der Väter (II Makk 1:25)[244] oder der Herausführung aus Ägypten oder aber der Zerstreuung[245] unter die Heiden[246] beigemessen[247] (sofern diese Ereignisse bedeutsam sind — was bei verschiedenen Gruppen in der Diaspora verschieden sein könnte)? Welches Gewicht hat in diesem Zusammenhang (oder überhaupt) der Bundesgedanke? (In welchen Schriften spielt er keine Rolle, und — sofern diese Frage beantwortbar ist — warum nicht? Findet er etwa in anderer Weise Ausdruck als mit dem Stichwort *διαθήκη*[248]?) Welches Schriftverständnis steht hinter der mannigfachen Verwendung der Bibel in den Texten des hellenistischen Judentums?

Vielleicht läßt es sich durchführen, die angedeuteten Themen in einer Darstellung der Religion des hellenistischen Judentums wenigstens teilweise im Rahmen einer Geschichte seiner Frömmigkeit zu behandeln. Dabei ist als historischer Ausgangsort die Septuaginta gegeben. Allerdings muß man damit rechnen, daß diese intensiv vom hebräischen Bibeltext beeinflußt ist. Indessen ist die Abhängigkeit von diesem innerhalb der Septuaginta selbst abgestuft. Man wird sogar für verschiedene Kreise derselben Gemeinden innerhalb der Diaspora und dann auch für verschiedene Gemeinden des verstreuten Judentums gewisse Abstufungen der Nähe ihrer Frömmigkeit zur spezifisch biblischen für möglich halten müssen. Hinsichtlich der Verwertung der Septuaginta für eine Darstellung der genannten Art wird zunächst von ihrem Besonderen — etwa in

243 Und überhaupt das Handeln Gottes in der Geschichte, die das Alte Testament beschreibt. Ein Beispiel für Themen dieser Art: Jack P. Lewis, *A Study of the Interpretation of Noah and the Flood in Jewish and Christian Literature* (Leiden, 1968).

244 Daneben verdiente die Rolle hervorragender Gestalten der Bibel (neben der Moses) in Frömmigkeit und Theologie des hellenistischen Judentums monographisch untersucht zu werden, vgl. die Skizze von G. Mayer, "Aspekte des Abrahamsbildes in der hellenistisch-jüdischen Literatur," *Evangelische Theologie* 32 (1972), S. 118–127. Ausführlich zu Abraham bei Philon, überdies bei Josephus usw.: Samuel Sandmel, *Philo's Place in Judaism* (New York, ^{2}1971).

245 Gelegentlich gebraucht dafür das hellenistische Judentum den Ausdruck *ἀποικία*, III Makk 6:10 (zur Stelle siehe oben S.152), beziehentlich *παροικία*, 6:36; 7:19; in III Makk erscheint damit die Fremdlingsschaft als Merkmal der Situation des außerpalästinischen Judentums.

246 Was bedeutet überhaupt *ἔθνη* der Sache nach für die Juden in der Diaspora?

247 Justin, dial Tryph 117,1f. referiert eine jüdische Deutung von Mal 1:11 auf die Gebete der Diasporajuden — sie nahm Gott an —; da das polemisch geschieht, wird sie ihm vorgelegen haben. Zur Stelle siehe W. C. van Unnik in: *Ecclesia*, [Festschrift für] J. N. Bakhuizen van den Brink ('S-Gravenhage, 1959), S. 39. Die Beziehung von Mal 1:11 auf Heiden wird auch von den Rabbinen abgelehnt.

248 Vgl. beispielweise *ὅρκοι* in Sap 12:21; 18:6,22.

Zusätzen, Streichungen, Veränderungen des Wortlauts der Aussage,[249] Veränderungen[250] des Wortgehaltes[251] — gegenüber dem hebräischen Text auszugehen sein[252] (soweit uns dieser bekannt ist). Von diesen Ansätzen her gilt es dann, theologische Linien[253] innerhalb der Septuaginta[254] und über sie hinaus weiterzuziehen; innerhalb der Septuaginta zunächst etwa in dem Rahmen, der durch deren Besonderheiten einerseits und durch die spätere Bibelinterpretation des hellenistischen Judentums andererseits vorgegeben ist. Nicht zuletzt stellt sich die (zum Teil damit korrespondierende) Frage, in welcher Weise die Septuaginta die Auslegung der Bibel und dann ebenso die Theologie der genuinen Schriften des hellenistischen Judentums beeinflußt hat; insbesondere ist zu fragen, wie sie indirekt oder direkt die Frömmigkeit der Gemeinde geprägt hat. Gewiß kann man das nur aus den Texten[255] erschließen; doch möchte ich meinen, daß aus ihnen dafür einiges zu gewinnen ist.

Es ist mir durchaus deutlich, daß sich die Arbeit an diesen Aufgaben

249 Bei manchen Abweichungen von dem uns geläufigen masoretischen Text kann der der LXX gewiß auch auf einen anderen hebräischen zurückgehen. Vgl. zu dem Ganzen die Erwägungen bei Jellicoe, *Septuagint* (oben Anm. 2), S. 352f.: The Autonomy of the Septuagint, weiter S. 317f.321f. usw.

250 Das griechische Wort kann schon durch den jeweiligen Kontext, vor allem aber im Zusammenhang seiner Verwendung in LXX überhaupt einen neuen Wortgehalt empfangen; ebenso kann es aber den biblischen Aussagegehalt umprägen.

251 Hier sind nicht nur die Umsetzungen von Gottesbezeichnungen wichtig (wie *κύριος, παντοκράτωρ*). Zum Ganzen vgl. den Überblick bei J. Schreiner, "Hermeneutische Leitlinien in der Septuaginta," in: O. Loretz — W. Strolz, *Die hermeneutische Frage in der Theologie* (Freiburg/Br., 1968), S. 356–394.

252 Daß dabei bei den einzelnen Schriften (beziehentlich womöglich bei den verschiedenen Übersetzern einer Schrift) einzusetzen ist, haben die Spezialuntersuchungen zu diesen deutlich gemacht, siehe zum Beispiel die verschiedenen Abhandlungen von Gehman, Gerleman, Orlinsky, Seeligmann, Wevers usw., die ganz überwiegend in den letzten drei Jahrzehnten geschrieben wurden.

253 Ein Exempel für die zusammenhängende Darstellung der Theologie eines Buches der LXX bei L. Seeligmann, "The Septuagint Version of Isajah", *Mededelingen ... van het Vooraziatisch-Egyptisch Genootschap "Ex Oriente Lux"* 9 (Leiden, 1948), c. IV: The Translation as a document of Jewish-Alexandrian theology, S. 95–121.

254 Wesentliche Vorarbeiten dafür sind zumal in der Aufbereitung des Stoffes im *ThWNT* geleistet, zunächst in Gestalt eines Lexikons zu einer erheblichen Anzahl von Wörtern und Begriffen (wenn auch in zum Teil sehr verschiedener Ausführlichkeit und Intensität), mitunter aber auch in ideengeschichtlicher Darstellung (zur Kritik von James Barr, *The Semantics of Biblical Language* [Oxford, 1961] usw. am *ThWNT* siehe zum Beispiel David Hill, *Greek Words and Hebrew Meanings* [Cambridge, 1967], S. 1–14.294–300). Eine ganze Reihe thematischer Untersuchungen zur Frömmigkeit der LXX verdanken wir darüber hinaus in den letzten Jahrzehnten G. Bertram, außerdem anderen Autoren; mehrfach sind Dissertationsthemen aus diesem Bereich gestellt worden.

255 Inschriften und Denkmäler sagen mitunter auch etwas dazu aus.

vielfach in einem Hin und Her bewegt, in dem die Einzeluntersuchung und das Aufzeigen bestimmter größerer Zusammenhänge einander beeinflussen; es gibt kaum geistesgeschichtliche Forschung, die daran nicht teilhat.

Nicht nur die Septuaginta stellt uns vor die Frage der hellenistischen Einflüsse auf die Judenschaft der Diaspora. Sie betrifft im Grunde ihr gesamtes Dasein im Raum der Zivilisation und der Kultur des Hellenismus — wobei, wie sich schon andeutete, das Stichwort "Hellenismus" in den verschiedenen Gefilden der Ökumene sehr verschiedenartig gefüllt sein kann. Die Septuaginta wies uns eben auf die Bedeutung der Sprache; mit ihr können sich in bestimmtem Umfang geistige Gehalte verbinden[256] — auch wenn die Sprache ihrerseits teilweise vom Gedanken geprägt wird[257] (sonst könnte die Septuaginta nicht zu neuen, biblisch bestimmten Inhalten griechischer Wörter kommen).[258]

In der hellenistischen Umwelt des Judentums der Diaspora spielt die Philosophie eine gewisse Rolle, jedenfalls die Popularphilosophie. Nur ein Beispiel dafür ist der Einfluß der Elementenlehre auf die Rede- und Vorstellungsweise, bis in das alexandrinische[259] Judentum hinein; sie bestimmt etwa auch das Menschenverständnis ein Stück weit, zunächst im physischen, von da her im ethischen Bereich,[260] aber natürlich ebenso das Weltverständnis: im Judentum geht der Einfluß bis in regliöse Aussagen (dabei wird deren religiöser Gehalt nicht angetastet). Entsprechend wären die Linien für andere Begriffe und Sätze hellenistischer Weltweisheit in ihrem Gebrauch im hellenistischen Judentum auszuziehen, soweit das nicht schon geschehen ist.

Nicht zuletzt gehören dazu Begriffe und Grundsätze der Ethik der Umwelt (für die die Philosophie weithin Anweisung zum Handeln verheißt[261]). Es lohnte sich schon einmal, die ethischen Urteile des hellenistischen Judentums insgesamt oder doch vorerst in größeren Sachkomplexen zu untersuchen. Dabei müßte man nur auch bemüht sein, nach den geistigen Zusammenhängen und Hintergründen zu fragen (und zwar gerade außerhalb Philons, der zunächst nur ein Vertreter des hellenistischen Judentums ist; wie weit er als dessen typischer Repräsentant an-

256 Darüber hat man sich im hellenistischen Judentum Gedanken gemacht, siehe etwa Philo mut 65 (zu Gn 2:19). Für Philon hängt offenbar die Namen- und Wortdeutung damit zusammen (vgl. Leisegang, *Indices* [oben Anm. 62], S. 583).

257 Auch hier handelt es sich um eine Wechselwirkung.

258 Der Plan eines besonderen Wörterbuches zur LXX, wie er von seiten der IOSCS [oben Anm. 3] erwogen wird, setzt offenbar beides voraus.

259 Und übrigens zum Teil auch das palästinische.

260 Vgl. zum Zusammenhang beider IV Makk 12:13.

261 Unter anderem deshalb kann die Unterweisung in der Tora als Philosophie bezeichnet werden; siehe oben S. 153.

gesehen werden kann, vermag erst der Vergleich zu zeigen). Die betont religiöse Motivierung der Ethik[262] weist auf solche Zusammenhänge und Hintergründe hin, auch wenn die unmittelbaren Aussagen häufig (zumal außerhalb Philons) zunächst in der Form der Gebotsethik erfolgen. Doch sollten in diesem größeren Rahmen ebenfalls die einzelnen Forderungen der Ethik der Tora in ihrer besonderen Fassung innerhalb der jüdisch-hellenistischen Literatur behandelt werden.

IV

In den Bezirk der Geisteskultur des hellenistischen Judentums, wiederum zumal seiner Religion, gehört auch der Sektor der darstellenden Kunst. E. R. Goodenough gebührt das Verdienst, in seinem umfassenden Corpus Symbolorum Judaicorum (wenn wir sein großes Opus einmal so nennen dürfen) eine Fülle von Aufgaben aufgezeigt und in Angriff genommen zu haben, die der Forschung gestellt sind. Seine Untersuchungen führten ihn zu einer Reihe von Thesen, die wenigstens in Ansätzen vielfältige Kritik gefunden haben.[263] Das zwölfbändige Werk erschien innerhalb von 13 Jahren,[264] davon die ersten acht Bände 1953–58; es war offenbar von langer Hand vorbereitet.[265]

Goodenoughs Thema ist freilich nicht die Kunst des (spät)antiken Judentums als solche; da er diese jedoch vor allem als Symbolkunst versteht oder jedenfalls nach dem Symbolgehalt der Darstellungen fragt, umfaßt sein Werk — wenn auch unter dem im Titel genannten Gesichtspunkt —' praktisch den Bereich der darstellenden Kunst des Judentums der Zeit überhaupt. Goodenough selbst kennzeichnet die beiden ersten Bände als Sammlung der Denkmäler zum Thema;[266] the archeological evidence from the Diaspora (Untertitel) wird in Band II gegeben.[267] In IV (dessen Thematik auch schon die vorangehenden Bände bestimmt

262 Philon spricht es nachdrücklich aus, daß das Judentum die εὐσέβεια beziehentlich ὁσιότης der δικαιοσύνη überordnet, spec 2,259; vgl. zur Vorordnung der εὐσέβεια vor die anderen "Tugenden" spec 4,135; decal 52.119; Abr 60. Tatsächlich versteht das Judentum die εὐσέβεια im Unterschied zur Umwelt speziell als Dienst gegenüber Gott, det pot 55f., vgl. IV Makk 5:24; 12:14; 13:12.

263 Eine Zusammenstellung und Beurteilung der bis dahin erschienenen Besprechungen bei M. Smith, "Goodenough's *Jewish Symbols* in Retrospect," *JBL* 86 (1967), S. 53–68. Die Liste (S. 66f.) umfaßt 49 Namen.

264 Dazu Indices und (S. 205–228) Nachträge in Band XIII (1968).

265 Vgl. schon den kurzen, aber grundlegenden Aufsatz "Symbolism in Hellenistic Jewish Art. The Problem of Method," *JBL* 56 (1937), S. 103–114.

266 I, S. vii; sie zeigt not all of this material, but the material as a whole (ebd.). Übrigens ist in den Bänden des Gesamtwerkes auch vielfältiges Material rein paganer Herkunft abgebildet, um Goodenoughs Deutung des jüdischen zu erhellen.

267 III ist Bildband zu I und II, I betrifft das palästinische Material.

hat) wird dann speziell über The Problem of Method[268] sowohl wie über Symbols from Jewish Cult gehandelt. Dabei geht es zunächst um die spezifisch jüdischen Symbole Menora, Toraschrein, Lulab und Ethrog, Schofar und Räucherpfanne. Die von Goodenough herausgestellte Arbeitsweise wird in V und VI auf die nicht spezifisch jüdischen Kultsymbole Fisch, Brot und Wein angewendet.

Goodenough definiert symbol "as a form which means more than we actually see."[269] Das Eigentliche des Symbols ist unerklärbar.[270] Was ist der Wert des Symbols? "Simply emotional impact,"[271] anders gesagt: "a meaning quite subverbal and immediate."[272] Die Deutung der jüdischen Symbole durch Goodenough steht weithin in sachlichem Zusammenhang mit dem, was er Jewish mysticism beziehungsweise mystic Judaism nennt.[273] Für Goodenough ist mit diesen Ausdrücken ein bestimmter Vorstellungsbereich bezeichnet,[274] der seinerseits weitläufig und nicht leicht zu fassen ist, auch hinsichtlich der Verbindungslinien zur mystischen Philosophie und Symbolik der griechischen Welt.[275] Wir können das hier nur andeuten; jedenfalls ergibt sich im Rahmen dieser Stichwörter eine Fülle von Fragen.

In der Weite des Feldes, das für Goodenough mit den Begriffen Symbolik und Mystik[276] in den Blick gefaßt wird, ist auch weiter Raum für pagane Symbole, die das von ihm dargestellte Judentum übernommen hat; ihnen insbesondere sind die Bände VII und VIII gewidmet (zu Fisch, Brot und Wein siehe oben).[277] Nur ein paar Stichwörter mögen die Breite des Fächers anzeigen, den Goodenough hier entfaltet: Stier (eines

268 G. bezeichnet das spezielle Kap. darüber (IV, S. 25–62) seinerseits als das wichtigste des ganzen Werkes (IV, S. vii).

269 *Symbols* XII, S. 69.

270 XII, S. 69f., vgl. S. 156.

271 XII, S. 70.

272 Goodenough, "Pagan Symbols in Antiquity. The Vine, the Eagle, the Lion," *Commentary* 23 (1957), S. 74–80, spez. 78.

273 Ein instruktives Beispiel gibt die Deutung der Menora durch G., "The Menorah among Jews of the Roman World", *HUCA* 23,2 (1950/51), S. 449–492, vgl. *Symbols* IV, S. 71–98.

274 Vgl. den Untertitel seines Philon-Buches von 1935 (siehe oben Anm. 75). G. unterstreicht selbst, daß die von ihm vertretene Interpretation der Schriften Philons Voraussetzung für das Verständnis seiner (G.s) Deutung etwa der Malereien von Dura-Europos ist, *Symbols* XII, S. 19.

275 Vgl. Goodenough, *Symbols* IV, S. 43–48; XII, S. 64–77 usw.

276 Schon die Teilung des hellenistischen Judentums in "the normative literalists and the allegoristic or mystic Jews" durch Goodenough, *By Light* (oben Anm. 75). S. 336 ist nicht sehr glücklich. Sind die Allegoriker ohne weiteres auch Mystiker? Interpretiert Philon die Bibel nicht buchstäblich und allegorisch?

277 Vgl. — auch zum Grundsätzlichen — Goodenough, *Commentary* 23 (1957), S. 74–80.

der Symbole des ewigen Lebens); Löwe; Siegesgöttin; Rosette und ähnliches (Symbol des göttlichen Schutzes); symbols primarily erotic: Vögel, Schaf, Muschel usw. (Symbole der Einung mit Gott beziehentlich der neuen Geburt oder der Unsterblichkeit); Seelengeleiter: Adler, Schiff etc.[278]. Die Interpretationen Goodenoughs werden noch akzentuiert durch den von seiner Seite betonten Satz, der Gebrauch der Symbole als Ausdrucksformen mystischer und eschatologischer Hoffnung sei weder örtlich begrenzt noch für eine kleine jüdische Gruppe kennzeichnend, sondern finde sich in fast allen Formen des damaligen Judentums.[279]

Was insbesondere die Debatte um die jüdischerseits übernommenen paganen Symbole anlangt, so steht sie weithin unter der Alternative Symbolik oder Dekoration;[280] eine weiterführende Diskussion der von Goodenough aufgestellten Deutungen wird genauer auf seine Argumentation einzugehen haben[281] — auch wenn die Debatte durch bestimmte (allgemeine und speziellere) religionsgeschichtliche Voraussetzungen Goodenoughs[282] kompliziert wird. Man wird jedenfalls fragen können,[283] wie weit die Übernahme bestimmter Darstellungstypen die ihres spezifischen Aussagegehaltes[284] einschließt[285] (wenn Philon den heidnischen

278 In *Symbols* IX-XI wird die Symbolik in der Synagoge von Dura-Europos erörtert; hier begegnen nach G. die meisten der von ihm in V-VIII behandelten Symbole wieder (XII, S. 156f.). Eine eingehende Kritik der Kombinationen gibt E. J. Bickerman, "Symbolism in the Dura Synagogue," *HThR* 58 (1965), S. 127–151. Übrigens sollten die Malereien von Dura-Europos dazu anregen, jeweils die Rolle der behandelten Themen in der Literatur des hellenistischen Judentums vergleichsweise zu untersuchen; siehe zum Beispiel K. Wessel, "Durchzug durch das Rote Meer," *RAC* 4, Sp. 371–375. Zur Verbindung der Analyse von Texten und Denkmälern vgl. etwa die Arbeit von Bernard Goldman, *The Sacred Portal. A Primary Symbol in Ancient Judaic Art* (Detroit, Michigan, 1966).

279 *Symbols* V, S. vii; hier äußert er sich zunächst zu I-III.

280 Auch bei G. selbst, siehe sein abschließendes Wort in XII Kap. 5. Vgl. zum Beispiel E. Diez, "Delphin", *RAC* 3, Sp. 677.

281 Siehe schon Bickerman, *Syria* 44 (1967), S. 139–145.

282 Insbesondere zu den psychologischen beziehungsweise psychoanalytischen siehe Bickerman, "Sur la théologie de l'art figuratif. À propos de l'ouvrage de E. R. Goodenough", *Syria* 44 (1967), S. 131–161, spez. 157–161.

283 Vgl. die Kritik bei Bickerman, *HThR* 58 (1965), S. 136f.

284 Daß die Juden mit den noch lebendigen heidnischen Symbolen die in diese eingeschlossenen Werte ("values", siehe oben) übernahmen, ist die Meinung G.s, *Commentary* 23 (1957), S. 78.

285 So etwa, wenn das Orpheus-Motiv in Dura-Europos erscheint. Vgl. dazu beispielsweise Bickerman, *HThR* 58 (1965), S. 140f. Der "Orpheus" von Dura-Europos wird gern auf David gedeutet; H. Stern, "The Orpheus in the Synagogue of Doura-Europos", *Journal of the Warburg and Courtauld Institutes* 21 (1958), S. 1–6 möchte die Darstellung auf Jes 11:6f. beziehen (vgl. zum Gedanken des Friedens im Tierreich in der Zukunftserwartung der Diaspora orac Sib 3,788–793, ferner die freilich rationalisierenden Ausführungen Philons in praem

Mythus in seinen Gedankengang einbaut [plant 127–130] oder seine Redeweise aufgreift — beides in positiver Weise — dann übernimmt er damit nicht dessen spezifischen Gehalt in der paganen Relgion selbst; mitunter spricht er es auch ausdrücklich aus, daß er den Mythus in anderem Sinn verwendet, als er eigentlich gemeint ist; das kann der bildende Künstler nicht tun).

Goodenough gibt innerhalb des kritischen Gesprächs über seine Deutungen der jüdischen Kunst der auch sonst umstrittenen Frage nach der Stellung des antiken Judentums zum Bild einen bestimmten Raum; dabei spielt der Gegensatz zwischen dem archäologischen Befund und rabbinischen[286] Äußerungen[287] zur Bilderfrage eine nicht geringe Rolle.[288] Die neuere Diskussion des Verhältnisses beider zueinander hat indessen deutlich gemacht, daß die Differenz nicht absolut gesetzt werden darf.[289]

Im übrigen bleiben über den von Goodenough erörterten Themenkreis hinaus mancherlei Fragen zur darstellenden Kunst jener Zeit offen, auf die einzugehen einem speziell Sachkundigen überlassen sei; er kann sich etwa auch zu den Problemen des Synagogenbaues äußern.[290] Ob

87–90). Man sieht jedenfalls — und das wird sich bei Interpretationen darstellender Kunst des öfteren ergeben —, daß mehrere Deutungen des gleichen Motivs möglich sind. — Auch in diesem Zusammenhang sind die Aussagen der Texte zu vergleichen. Orpheus wird früh als Schüler Moses aufgefaßt, Artapanos bei Euseb, praep ev IX 27,4, vgl. Walter, *Aristobulos,* S. 49.238. Er ist dem Judentum als Vertreter des Monotheismus wichtig, Euseb, praep ev XIII 12,5; zu dem jüdisch-orphischen Gedicht oben S. 161 mit Anm. 209.

286 M. Smith, *JBL* 86 (1967), S. 60 möchte vielmehr das Fehlen der decoration in der Zeit bis 70 n. C. unter anderem auf sadduzäischen Einfluß zurückführen.

287 Michael Avi-Yonah, *Geschichte der Juden im Zeitalter des Talmud* (Berlin, 1962), S. 75 spricht dagegen im Blick auf das Vorkommen paganer Symbole und mythischer Elemente in Synagogen von "rabbinische(r) Toleranz." Er weist übrigens darauf hin, daß es sich fast nur um Reliefdarstellungen handelt, nicht um freistehende Skulpturen.

288 *Symbols* IV, S. 3–24; XII, S. 63–67.185f. usw., vgl. Goodenough, "The Rabbis and the Jewish Art in the Greco-Roman Period", *HUCA* 32 (1961), S. 269–279.

289 Goodenough, *Symbols* XII, S. 186 spricht von "two quite different sorts of Judaism," die gleichzeitig in der Synagoge und im rabbinischen Lehrhaus von Tiberias blüthen. Vgl. dagegen Bickerman, speziell *Syria* 44 (1967), S. 139, weiterhin seine eingehende Erörterung der rabbinischen Aussagen ebd. S. 134–139, auch B., *HThR* 58 (1965), S. 129–131. Eingehend zur Frage vorher E. E. Urbach, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts," *Israel Exploration Journal* 9 (1959), S. 149–165.229–245, der unter anderem auch auf die wirtschaftlichen Gegebenheiten achtet.

290 Es sei nur an die bedeutsamen Ausgrabungen von Sardes erinnert, oben Anm. 231.

einmal eine gesonderte Geschichte der Kunst des (spät)antiken Judentums geschrieben werden kann, vermag ich nicht zu übersehen. Jedenfalls wird man versuchen müssen, geschichtliche Linien für einzelne Themen zu ziehen oder doch wenigstens thematische Einzeldarstellungen zu bieten, die den Gesichtspunkt der historischen Differenzierung zumindest nicht außer Acht lassen — so schwierig das angesichts der zeitlichen Streuung des Materials durchzuführen ist. Ein Corpus der archäologischen Denkmäler,[291] das nicht zuletzt durch gute Aufnahmen die Kenntnis der weithin dem Verfall ausgesetzten Monumente vermittelt, wäre dazu höchst wünschenswert.

V

Zur Geschichte des Judentums der hellenistisch-römischen Zeit liefern schließlich auch die Äußerungen der paganen Schriftsteller ihren Beitrag. So, wie sie, sah man — nicht schlechthin, aber jedenfalls auch[292] — das Judentum; zumindest manche dieser Aussagen geben wohl verbreitete Urteile wieder, wenn auch vielleicht in persönlicher Färbung oder etwa im Stil der Satire. So verstand man das Judentum — beziehungsweise mißverstand es, verstand es dann im Grunde nicht —, und entsprechend begegnete man dem Juden, und davon ist sein Leben in der Diaspora jedenfalls mitbestimmt.

Ein dringendes Desiderat in diesem Bereich ist ein neuer Reinach[293] auf der Grundlage neuerer Editionen, mit etwas ausführlicherem Sachapparat[294] und eingehenderen Registern, möglichst auch einem solchen zu den wichtigeren griechischen und lateinischen Stichwörtern der Texte selbst. Die Texte sind seit Reinach verschiedentlich einzeln oder unter bestimmten Themen gruppiert oder mehr zusammenfassend bearbeitet worden, aber keineswegs vollständig (im einzelnen) und erschöpfend (auf das Ganze gesehen). Mehrfach sind seit 1900 Überblicke unter dem nicht recht sachgemäßen Stichwort Antisemitismus gegeben worden. Das Urteil der Umwelt über das Judentum, auch das in paganen Texten sich niederschlagende, ist keineswegs speziell im Sinn der Judenfeindschaft zu charakterisieren (über die uns freilich gerade auch in der jüdischen Literatur scharfe Äußerungen vorliegen); es verläuft in mannigfachen

291 Die zahlreichen bei Goodenough, *Symbols* abgebildeten bedürfen der kritischen Sichtung und der Bearbeitung im einzelnen.

292 John G. Gager, *Moses in Greco-Roman Paganism* (Nashville, Tennessee, 1972), betont mehrfach, daß die literarischen Aussagen die Stellung der Intelligenz widerspiegeln.

293 Théodore R., *Textes d'auteurs grecs et romains relatifs au judaïsme* (Paris, 1895).

294 Wir denken insbesondere an knappe Hinweise auf Sachparallelen und erläuternde antike Texte (die beide nicht unbedingt abgedruckt zu werden brauchen) sowie auf neuere Literatur.

Abstufungen von Haß über Verachtung, Ironie, teilweise gutmütigen Spott, Gleichgültigkeit bis zu einem bestimmten Respekt, ja einer gewissen Anerkennung.[295] Anerkennung wie Ablehnung sind entscheidend begründet in der Religion des Judentums, die Ablehnung in der dem Judentum eigentümlichen Gottesauffassung, in die die Kritik an den heidnischen Religionsformen eingeschlossen ist und von der aus es zu dem Vorwurf der Gottlosigkeit (Jos, Ap 2,148) beziehentlich der *ἀσέβεια* oder der Herabsetzung der Gottheit (Jos, ant 3, 179) kommt, in besonderen Forderungen des jüdischen Nomos und in bestimmten Konsequenzen, die sich aus beiden ergeben, im Sichausschließen vom Kult der anderen und in der Absonderung von der Umwelt sonst (eine typische Formulierung in Jos, ant 11,212[296]). Beides bedürfte einmal gründlicher Untersuchung. Mit dem Stichwort *ἀμιξία* etwa betont die Judenschaft selbst die Notwendigkeit der Absonderung[297] und kennzeichnet andererseits die Umwelt das Sichabschließen des jüdischen Volkes als verwerflich (Jos, ant 13,245).[298]

Es ist ein weiter Spannungsbogen zwischen der Wirklichkeit jüdischen Lebens, die in diesem Aussagenkomplex sich andeutet, und der Erwartung der Judenschaft, daß einst die ganze Welt das Gesetz des höchsten Gottes anerkennen (orac Sib 3,719f.) und der Tempel des großen Gottes die einzige Stätte der Anbetung sein wird (ebd. 772–776, vgl. 716–718). Tatsächlich hat die antike Judenschaft unter diesem Spannungsbogen existiert und — jedenfalls nach bestimmten Urteilen — ein Stück ihrer Erwartung auch schon in Erfüllung gehen sehen.[299] —

Am Ende unserer einleitenden Bemerkungen wurde erwähnt, daß die hellenistische Judenschaft als solche in einem ständigen Kontakt mit der palästinischen steht[300] (mag sich das für die einzelnen Gemeinden und zumal für den einzelnen Juden mit verschiedener Intensität auswirken). Das geschieht nicht nur durch die in beiden Bereichen begangenen Feste, die in beiden sabbatlich verlesene Bibel, die Zahlung der Tempelsteuer, die gelegentlichen Wallfahrten zum Tempel (während

295 Insbesondere wird Mose in bestimmten Texten zum Teil recht positiv beurteilt, vgl. Gager, *Moses* (oben Anm. 292), speziell Teil 1.

296 Instruktiv ist auch die Rückdatierung der heidnischen Kritik an der Separation des Judentums in ant 4,137f. (zu Num 25:2).

297 Siehe Jos, ant 13,247; Ap 2,210; II Makk 14:38, vgl. oben S. 150.

298 Hierher gehört der Vorwurf des unsozialen Verhaltens der Judenschaft, Jos, Ap 2,121; ant 16,42 usw.

299 Vgl. dazu oben S. 164f. Die weitreichende Einwirkung der Religion des Judentums auf die Zeitgenossen wird auch in der paganen Literatur mehrfach hervorgehoben.

300 Vgl. dazu H.-F. Weiß, "Zur Frage der historischen Voraussetzungen der Begegnung von Antike und Christentum," *Klio* 43–45 (1965), S. 328, spez. 316–323.

seines Bestehens). Die Quellen zeigen uns, wie sehr das Schicksal der Judenschaft der Diaspora schon im politischen Bereich dem Geschick des Volkes in Palästina verbunden ist (deutlich etwa in Philo, Gai; Jos, bell 7; zu fragen wäre hier unter anderem auch nach dem direkten oder indirekten Einfluß der Herodier auf die Lage des Judentums in der Diaspora).[301] Ebenso bemerkenswert ist der religiöse Einfluß des palästinischen Judentums auf das der Diaspora. Wir haben gelegentlich auf Äußerungen der Frömmigkeit im Diasporajudentum der Zeit v. C. hingewiesen, die in Palästina teilweise erst in der Zeit n. C. begegnen. In mancher Hinsicht kann man zu dem Eindruck kommen, daß gewisse Züge pharisäischer Frömmigkeit in der Diaspora in besonderer Weise bald wirksam geworden sind. Das alles bedarf der gründlichen Untersuchung (vielleicht gewinnen in diesem Zusammenhang auch die archäologischen Denkmäler eine bestimmte Bedeutung).

Eine Geschichte des hellenistischen Judentums, die alle sachlichen Bereiche gleich extensiv und intensiv darstellte, mag gewiß noch in weiter Ferne liegen (womit ein erster Entwurf dafür keineswegs ausgeschlossen ist). Mit der Inangriffnahme der vielfältigen Aufgaben, die unter mannigfachen Gesichtspunkten in unser Blickfeld traten — in Umrissen, häufig nur in Andeutungen —, werden jedoch im Großen und im Kleinen Vorarbeiten geleistet, die schon in sich durchaus sinnvoll sind. Nach den heutigen Methoden wissenschaftlicher Planung würde eine Gesamtdarstellung vermutlich sowieso auf eine Vielzahl von Spezialisten verteilt werden. Das mag mit dem teilweisen Anwachsen des Materials und der Verfeinerung der Arbeitstechnik zusammenhängen und kann zu gründlicheren Analysen und präziserer Erkenntnis im einzelnen führen — freilich auch zu einseitigen Urteilen von dem begrenzteren Sehfeld des Spezialisten aus (es braucht in unserem Rahmen nur die erwähnte einseitige Gegenüberstellung von hellenistischem und palästinischem beziehentlich rabbinischem Judentum genannt zu werden — womit wir noch einmal auf die Grenzen unseres Überblicks hingewiesen sind). Wir können freilich nicht über unseren Horizont springen; wir können uns nur bemühen, uns von anderen sagen zu lassen, was sie innerhalb des ihren erkennen, und etwas davon in unser Sehfeld hineinzunehmen (damit kommen wir auf das Bildwort in der Überschrift unserer Skizze zurück).

[Abgeschlossen Dezember 1972]

301 Zu Agrippa I. beispielsweise vgl. Wolf Wirgin, *Herod Agrippa I: King of the Jews,* Leeds University Oriental Society, Monograph Series 10 (1968).

"JEWISH GNOSIS" AND GNOSTIC ORIGINS: A SURVEY

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SIR John Hunt, in *The Ascent of Everest*,[1] tells of an interviewer who asked him: "What was the point of climbing Everest? Had you any material objective, or was it just some kind of madness?" In reply he writes: "To those looking for a material objective, there is no satisfactory answer, for there was indeed no desire for, nor expectation of any material reward .... Nor is the question answered simply by a passion for climbing mountains;" and then, further on: "to solve a problem which has long resisted the skill and persistence of others is an irresistible magnet in every sphere of human activity. It was this urge to which Mallory alluded when he gave his apparently ingenuous reply to this same question—'Because it's there.'"

These words deserve some reflection in an age that is prone to make its assessments on a materialistic basis, when in some quarters there is a tendency to judge the significance of research purely in practical and utilitarian terms. There *are* spheres of human activity which present problems, offer a challenge, without much prospect of material reward. The solution of these problems, if indeed a solution is possible, will not make any practical or material difference to our modern life—yet the challenge remains. There are gaps in our knowledge, questions which have not yet been adequately answered, and so long as these persist there can be no real satisfaction.

To take one specific example: why should we in the twentieth century concern ourselves with a largely forgotten movement which flourished in the second or third? Gnosticism is a thing of the past—why should it not be decently buried, and left to rest in peace? One answer is that of Mallory: "Because it's there." Admittedly enough is known in general terms for the purposes of a thumb-nail sketch in a dictionary or encyclopaedia,[2] but as soon as we look more closely the problems begin to

1 London 1953, pp. 7 f.

2 For recent literature, reference may be made to the surveys published by K. Rudolph since 1969 in *Theologische Rundschau;* for the Nag Hammadi gnostic library see D. M. Scholer, *Nag Hammadi Bibliography 1948–1969* (Leiden 1971) and the supplements in *Novum Testamentum.*

emerge: Where did it come from? Who started it? How did it all begin? What is its relation to other movements, earlier or contemporary or later, to Judaism, Christianity, Manicheism, Mandaeism and so on? Is it something limited to a particular period, a particular stage in the history of civilization, or is it something more endemic, liable to erupt at other times and in other ages? For (and this could be a second answer) there are phenomena in later generations, including our own, which show some kind of affinity with the Gnostic movement. Should we think of this as an eruption of a volcano that has long lain dormant, or as a new outbreak altogether, the common factors being due merely to similarity of circumstances? In any case each new generation brings its own insights, its own questions, its own discoveries, to bear upon the problem—in a sense there never can be any final answers. The fact that Sir John Hunt's expedition reached the summit has not kept other expeditions since from tackling Everest by other routes.

As Bultmann puts it,[3] Gnosticism "first appeared and attracted the attention of scholars as a movement within the Christian religion, and for a long time it was regarded as a purely Christian movement, a perversion of the Christian faith into a speculative theology, the 'acute Hellenization of Christianity.'" This statement, as it happens, provides a copy-book illustration of one of the problems of translation. It is true as it stands—and yet it is not exactly true to Bultmann's intention. The term Bultmann uses in the German original is "die Gnosis," which does not coincide exactly with what English-speaking scholars commonly mean by Gnosticism, even though the latter is frequently used by translators as its equivalent. For Bultmann continues: "Further research has, however, made it abundantly clear that it was really a religious movement of pre-Christian origin, invading the West from the Orient as a competitor of Christianity."[4]

Such a position of course provoked re-action. Thus R. P. Casey[5] protests against the "general and generalized impression that *gnosis* and Gnosticism were significant factors in the origins of Christianity," while Alan Richardson writes:[6] "The objection to speaking of Gnosticism in the first century A.D. is that we are in danger of hypostatizing certain rather ill-defined tendencies of thought and then speaking as if there

3 *Primitive Christianity in its contemporary Setting* (ET London 1956) p. 162.

4 Cf. the opening paragraph of Hans Jonas' *Gnosis und spätantiker Geist* (Göttingen 1954) and the passage from his *The Gnostic Religion* cited infra, p. 20.

5 *The Background of the New Testament and its Eschatology* (ed. W. D. Davies and D. Daube, Cambridge 1954) pp. 52–80.

6 *Introduction to the Theology of the New Testament* (London 1958) pp. 41 f.

was a religion or religious philosophy, called Gnosticism, which could be contrasted with Judaism or Christianity. There was, of course, no such thing." Richardson goes on to add "When scholars like Bultmann describe a Gnostic doctrine they take their first-century evidence from the New Testament itself. But this is a question-begging proceeding .... The most that could be said is that certain notions were 'in the air' in the later part of the first century, such as subsequently crystallized into the doctrine of the Gnostic sects."

At first sight this looks like a head-on collision, or as if the two positions were diametrically opposed and irreconcilable; but closer examination sets things in a somewhat different light. Indeed, as so often happens, there is truth on both sides. Richardson and Casey are right in protesting against interpretation of the New Testament in the light of documents of the second or third century A.D.—which may themselves have drawn upon the New Testament. On the other hand it will be noted that Richardson himself recognises, admittedly as the utmost he is prepared to concede, the existence of certain tendencies, of notions "in the air," in the later part of the first century. The real issue is whether these trends and tendencies, these notions "in the air," had already in the pre-Christian period been brought together into developed *systems*, whether in fact there was anything so clear-cut as a *religion;* and here it must be said that we have no documentary evidence.[7] That the ideas themselves are older is not in question; what is in dispute is whether at this stage they already possessed, and uniformly, the specific connotation that is given to them in the context of the developed gnostic systems. There are, for example, terms and concepts which occur in Platonism or Stoicism, or in the New Testament, and which can be interpreted in their respective contexts without reference to Gnosticism at all. The fact that such terms and concepts also occur in Gnosticism is no justification for imposing a gnostic connotation upon them when they occur in the other contexts.

7 Cf. the points made by C. H. Dodd, *The Interpretation of the Fourth Gospel* (Cambridge 1953) p. 98. His observation that "the attempts made by Reitzenstein and others to recover supposed earlier and pre-Christian sources are entirely speculative" should particularly be borne in mind. It is *possible* that non-Christian material has been Christianized in such documents as the Gospel of Mary or the Apocryphon of John, but there can as yet be no certainty that this non-Christian material was already in documentary form. In what is perhaps the clearest case to date, the Christianization in the Sophia Jesu Christi of material from the Epistle of Eugnostus, it is by no means certain that Eugnostus itself is entirely non-Christian (see Wilson, *Gnosis and the New Testament* [Oxford 1968] pp. 111–117). The Apocalypse of Adam has been claimed by its editor, Alexander Böhlig, as evidence for a pre-Christian Gnosis, but I should assign it to a later stage (see Wilson pp. 135–139 and R. Haardt, *WZKM* 61 [1967] pp. 157–159). A *Vorlage* of this Apocalypse might have been pre-Christian, but we have no evidence of such a document and no knowledge of its character.

Such a procedure indeed amounts to "planting" the evidence with which to secure a conviction.

To revert to Bultmann, it has been noted that in the German original he speaks not of Gnosticism but of *die Gnosis.* This is in fact a rather wider category, embracing not only the traditional "classical" Gnosticism of the second century A.D. but also such related movements as that represented by the Corpus Hermeticum, or Mandaeism, or Manicheism. As Hans Jonas puts it,[8] the Church Fathers considered Gnosticism as essentially a Christian heresy, and confined their reports and refutations to systems which had some kind of relation to Christianity. But "modern research has progressively broadened this traditional range by arguing the existence of a *pre-Christian Jewish* and a *Hellenistic pagan* Gnosticism, and by making known the *Mandaean sources,* the most striking example of Eastern Gnosticism outside the Hellenistic orbit, and other new material."

The danger here is that of so widening the range of the terms that everything in the first century A.D. becomes simply gnostic—and then drawing on the second-century Gnosticism to fill the gaps in our documentation and round out the contours; which brings us back to the procedure against which Richardson and Casey have protested. On the other hand, it is no longer possible to deal with the New Testament in a vacuum, as a kind of holy literature untouched by human hand and quite unrelated to the events, the aspirations and the ideas of the world around. The history of the transmission of its text is enough to dispose of that idea, for the several books were copied by hand—and mistakes crept in in the process. The various authors were men of their time, different from others indeed in that they were Christians, but still exposed like other men to the pressures of life and the ideas of the world around them. The effort to interpret early Christianity in the light of its contemporary environment can only be welcomed; provided it is done with judgement.

My own personal conviction is that at this point we need to make a distinction. The only Gnosticism we know is that of the second century and later—at least so far as documents are concerned. On the other hand there are the trends and tendencies already mentioned, movements on the way to Gnosticism, affinities with later Gnostic doctrines in the New Testament itself or in such a writer as Philo of Alexandria, not to speak of the Corpus Hermeticum or some aspects of Middle and Neo-Platonism. To classify the whole as Gnosticism would be a mistake—Bultmann in his chapters on the situation of man in the world and on redemption repeatedly takes note not only of the affinities but also of the differences between Gnosticism and Christianity, while Plotinus wrote against the

8 *The Gnostic Religion* (Boston 1958) pp. 32. f.

Gnostics, and therefore considered their opinions at variance with his own. The logical procedure here would be that advocated at the Messina Colloquium in 1966 by Sasagu Arai,[9] namely to use Gnosis as the more restricted term and Gnosticism as the wider, with the corresponding adjectives "gnostic" and "gnosticising." This would however entail confusion whenever reference had to be made to the older literature, in which Gnosticism has traditionally been employed in the narrower sense. Thus while I agree with Arai's distinction, I use the terms in the opposite way. Admittedly it is not an altogether satisfactory solution, but it is workable, and involves a minimum of disturbance to existing usage. The term Gnosticism, then, refers specifically to the Christian heresy, Gnosis to the wider area of research in which affinities with "Gnosticism proper" are to be found. The adjective "gnostic" presents a problem, since it may serve for either. For myself, I regard it as a danger signal, prompting the question in what sense a particular author is using it. For preference it should be suitably qualified, or replaced by some such term as "gnosticising" or "pre-gnostic," whichever is most appropriate, where the wider sense is in view.

One further point in this connection: Kurt Rudolph in a review of the Messina volume[10] has protested against the *Auseinanderreissen* of Gnosis and Gnosticism—and rightly, if what belongs together was in fact being rent asunder. What is envisaged here however is rather a process of development from one to the other, in which what had at first hung in solution, as it were, crystallized into systems. In terms of the recent volume by J. M. Robinson and Helmut Koester, we need to plot the trajectory between the two—although I am not sure that this is a good analogy.[11] In terms of the mountaineering imagery with which we began, it might be better to think of tracing routes, often intersecting, by which to reach the summit. Again, reference must be made to Hans Jonas' warning against thinking too much in terms of a conveyor-belt, of a smooth unbroken development—Jonas himself thinks that at some point there was a decisive break.[12] Certainly, whatever groups we are comparing, there is at some stage a point at which the Gnostics go one way and other groups another.

The question of Gnostic origins remains a debated issue. Every possible solution has been advanced, to the satisfaction of the author con-

9 In *Le Origini dello Gnosticismo* (ed. U. Bianchi, Leiden 1967) pp. 181–187.

10 *Theol. Rundschau* 36 (1971) pp. 18–21.

11 *Trajectories through Early Christianity* (Philadelphia 1971). Cf. my review in *JTS* 23 (1972) pp. 475–477.

12 In *The Bible in Modern Scholarship* (ed. J. P. Hyatt, Nashville 1965) p. 291.

cerned and his associates, if not of others: Greek philosophy, of course, but also Egypt, Syria, Persia—all have been nominated as candidates, but none has secured the necessary majority. In some sense all have made their contribution, yet as Jonas long ago pointed out Gnosis is not *merely* syncretism.[13] By some strange alchemy all the elements adopted and taken over are made into something new—and concentration upon the sources from which the elements derive has often tended to obscure this distinctive novelty.

In recent years increasing attention has been paid to the contribution of Judaism. R. M. Grant for example has traced the origins of the movement to the disappointed eschatological hopes of Qumran sectarians,[14] while several papers at the Messina Colloquium stressed the significance of this Jewish contribution.[15] Gilles Quispel[16] had argued even earlier for a connection between Gnosticism and Jewish heterodoxy: "in so far as Gnosis is pre-Christian, it goes back to heterodox Jewish conceptions, e.g. about Adam and the Name and to the pre-Asiatic syncretism in general. In its origins Gnosis is Jewish Near-Eastern occultism, Oriental mysticism."[17] More recently he has drawn upon the work of Gershom Scholem, and writes:[18] "The most important Jewish contribution, however, both to Gnosticism and to early Christianity, seems to have come from esoteric circles in the heart of Palestinian Christianity. Gershom Scholem has shown that there existed within Judaism esoteric traditions which had very old roots and went back to Pharisaic circles of the first century A.D."

On the other side Hans Jonas has raised some questions that demand attention[19]—despite his reference, already mentioned, to a pre-Christian Jewish Gnosticism. On the same page,[20] indeed, he writes in a footnote "Nothing so far presented has to my mind proven the Judaistic thesis." At first sight some of Jonas' statements, taken in themselves and apart from context, might seem to be inconsistent, and even to favor Quispel's

13 *Gnosis und spätantiker Geist* I, pp. 77 f.

14 *Gnosticism and Early Christianity* (London and New York,[2] 1966). Grant admits (p. 2) that "more could be said about Greek elements in Gnosticism than will be said here."

15 See *Le Origini* (supra n. 9).

16 E.g. in *Evangelische Theologie* 1954, pp. 1–11, and *Eranos Jahrbuch* 22 (1954) pp. 195–234.

17 *The Jung Codex* (ed. F. L. Cross, London 1955) p. 78.

18 *The Bible in Modern Scholarship* (supra, n. 12), p. 268, referring to G. Scholem, *Jewish Gnosticism, Merkabah Mysticism and Talmudic Tradition (New York 1960).*

19 *The Bible in Modern Scholarship* pp. 279–293, esp. pp. 286–293.

20 *The Gnostic Religion* p. 33. The following quotations are taken from this and the succeeding page.

view: "Some connection of Gnosticism with the beginnings of the Cabbala has in any case to be assumed, whatever the order of cause and effect. The violently anti-Jewish bias of the more prominent gnostic systems is by itself not incompatible with Jewish heretical origin at some distance.... The Jewish strain in Gnosticism is as little the orthodox Jewish as the Babylonian is the orthodox Babylonian, the Iranian the orthodox Iranian, and so on." In the first of these sentences, however, the point at issue is precisely "the order of cause and effect." Quispel and Scholem would argue for the beginnings of the *Cabbala,* in Scholem's Hekhaloth mysticism, as the cause and Gnosticism as the effect, whereas Jonas would query this —and on various grounds with reason. In the second sentence the vital words are "at some distance"—how great a distance? And what happened between? As to the third, to say that the Jewish strain in Gnosticism is not orthodox does not necessarily mean that it is heterodox—in the sense of being *derived from* heterodox Jewish circles. In his contribution to the Messina volume,[21] Alexander Böhlig speaks of "die Umdeutung von jüdischen Traditionsgut in gnostische Gedankengänge," of a re-interpretation of biblical passages, and in his final paragraph he writes that Gnosis did indeed take over ideas from Judaism and from Jewish Christianity, but made of them something new. As Luise Schottroff has neatly put it,[22] what is important for the understanding of the gnostic texts is not where the mythical motifs came from, but how these mythical motifs are interpreted.

Nevertheless the question of origins will continue to occupy the minds of scholars, and tax their ingenuity. And what is important here is that we should recognise the *Umdeutung* of which Böhlig speaks, the transmutation which has taken place, and refrain from reading it back into the original contexts from which the motifs were derived. The trouble then is that Gnosis tends to become more and more nebulous, resolving into Platonism or Stoicism or Judaism, or some aspect of Egyptian or Iranian thought. It is only when we import elements of the later Gnosticism that it begins to take firmer shape—and here, as already noted, there is danger. On the other hand, to make too rigid a distinction is to make it impossible to understand the apparently sudden and unprepared emergence of Gnosticism in the strict sense in the course of the second century. The conclusion must be that the situation in the first century, and possibly earlier, was much more fluid, and much more complex, than is sometimes allowed for; that ideas were in circulation, drawn from diverse sources, which were combined in various ways by different people in different areas, sometimes on the basis only of a superficial similarity,

21 *Le Origini* (supra n. 9) p. 113.
22 *Der Glaubende und die feindliche Welt* (Neukirchen 1970) p. 2.

sometimes without full understanding of what they meant in their original context—until something happened which brought about the fusion of these ideas into the gnostic systems.

That Judaism was one of the "areas" in which this was going on seems almost certain, although it is difficult to attain to any degree of precision. How far, for example, did Judaea differ from Galilee, or both from the Diaspora? Were the ideas of Jews in Alexandria the same as those in Babylonia or Asia Minor? Many such questions, in the nature of our resources for information, simply do not admit of a precise answer. Nevertheless, the Jewish character which seems to mark the "false teaching" opposed in the New Testament, or in the writings of Ignatius, together with the manifest borrowings from Judaism in the known gnostic sects and also in the Corpus Hermeticum, all appear to point to the conclusion that if there was a pre-Christian Gnosis it was in some of its manifestations Jewish, or at least originated in proximity to Judaism. The question is: when, and where?

So long as Gnosticism was considered to be the result of a fusion of Christianity with Greek philosophy, the obvious place to look for a pre-Christian Jewish Gnosticism was in the works of Philo,[23] and indeed the affinities are not lacking: for example, the transcendence and incomprehensibility of God, the interpolation of intermediaries between God and the world we know, the comparative depreciation of the world, the idea of the body as the tomb of the soul. Yet time and again such affinities prove, so far as Philo is concerned, to derive from the philosophical tradition in which he stands—some of them go right back to Plato; and time and again the gnostic position is much more radical. Philo shows the kind of ideas which were current in certain circles, reveals the extent to which the ground was already prepared for Gnosticism, but in the strict sense he is not himself a gnostic. There are differences which must also be taken into account.

A second area to come under review is Qumran.[24] When the scrolls were first discovered, there were some who claimed them as evidence of pre-Christian Jewish Gnosticism, but these claims soon subsided. Once again there are differences to be taken into account. References to mysteries, secrets, knowledge, and people possessed of knowledge all at first sight suggest some relevance to Gnosticism, but when we enquire into the nature of these mysteries, the content of this knowledge, the differ-

23 Cf. M. Simon in *Le Origini*, pp. 359–374; R. McL. Wilson, *KAIROS* 14 (1972) pp. 213–219; Samuel Sandmel, "Philo's Place in Judaism: A Study of Conceptions of Abraham in Jewish Literature," Part I *HUCA* XXV, 1954, Part II *HUCA* XXVI, 1955.

24 Cf. the papers by H. Ringgren and M. Mansoor in *Le Origini* (above, n. 9), pp. 379–384 and pp. 389–400.

ences become clear. In particular the dualism of the scrolls is not the gnostic dualism, and the God of the scrolls is the God of the Old Testament, with no inferior demiurge. On the other hand, as R. M. Grant has noted,[25] practically all the ingredients of the later Gnosticism are already present at Qumran, and he himself, as already observed, has advanced the theory that Gnosticism originated from the disappointed eschatological hopes of Qumran sectarians. On this two things must be said: first, that the ingredients on the shelves of a shop are not identical with the finished dish that is brought to the table; and second, that while Grant's theory may contain a part of the truth it is not the whole—there is in the developed Gnosticism a Greek element *also,* which seems to point rather in the direction of Philo. Here, however, we need to ask at what stage particular elements entered into the developed gnostic synthesis. Werner Foerster for example notes[26] that the earliest Christian gnostics "do not *expressly* name the God of the Old Testament as creator of the world; either they speak of angels who made the world, or they ascribe the creation to a 'power.' " It is not difficult to see how the development could have taken place, with the God of the Old Testament being degraded to the status of an angel or identified with the "power" —but here we do seem to have a fairly well marked stage of transition in the process of development. However that may be, Qumran and Philo alike seem to belong in the sphere of Gnosis in the wider sense, and to stand somewhat apart from Gnosticism proper.

A third area to come under consideration is that of Jewish apocalyptic, of which it has been said that the line of distinction between apocalyptic and Gnosticism is difficult to draw, but nevertheless needs to be drawn. Here one example may suffice: a scholar of repute, writing of "gnostic motifs" taken over by early Christian preaching, refers to the idea that this world is dominated by demonic powers, that in it powers of darkness hold sway, seeking to establish an unbridgeable gulf between God and man. In an earlier section on Jewish apocalyptic he uses very similar language: the unhappy state of this present age is due to the fact that the powers of darkness are exercising their sway in it. The wicked angels, descended from the fallen heavenly beings of Gen. 6, are now as demons leading men astray to idolatry and to evil deeds. It is of course possible that here we have a gnostic element already in Jewish apocalyptic; it is surely much more probable that the later Gnostics took it over from apocalyptic and used it for their own purposes. In any case the gnostic use of the motif is much more radical.

25 Grant (supra, n. 14) p. 39.
26 *Gnosis* (ET Oxford 1972) p. 34.

In regard to a fourth area, the wisdom tradition, J. M. Robinson[27] has argued that we have in Q, the postulated second source employed in the Gospels of Matthew and Luke, "one of the connecting links between the hypostatizing of Sophia in Jewish wisdom literature and the gnostic redeemer myth attested in the second-century systems." Here of course we have to take account, to use Robinson's term, not of one trajectory but of at least two: the one passing through Hellenistic Judaism with Philo's development of the concepts of Wisdom and the Logos, the other through New Testament developments of the Wisdom-Logos Christology. When and where these trajectories met is a question still to be explored. But what is important in Robinson's study is the recognition of a *Gattung* which, "though apparently not gnostic in origin, was open to a development in that direction, once a general drift toward Gnosticism had set in." Indeed, this seems to me capable of a wider application. We might think, with A. D. Nock, of a gnostic attitude, a gnostic way of thinking;[28] of the raw material lying to hand in various systems of thought of later antiquity, philosophical or religious; of men seeking to give expression to that attitude by utilizing and adapting the raw material to suit their own purposes. The details of the process may no longer be capable of detection, but what was originally not gnostic at all took on a gnostic complexion in the context of the gnostic systems.

Reverting now to the theories of Quispel and Scholem it will be evident, in the light of this survey, that I am somewhat more in sympathy with Jonas' criticisms. The parallels are certainly there, but we must always ask "What do these parallels *signify?*" It is not difficult to establish an *Arbeitshypothese* that there may be some relation between A and B, then scour the literature for parallels, and then conclude that B, as ostensibly later, is dependent on A. But the facts are not so simple. There may be other factors to be taken into account, and when *all* the evidence is assembled a very different picture may emerge: not dependence of B on A, or A on B, but a common debt to C, for example, to name no other options. This is a situation long familiar to the New Testament scholar. There may for example be parallels between Philo on the one hand and Paul or John, or particularly Hebrews, on the other. Now it is unlikely that Paul borrowed from Philo, or even knew his writings, but it is at least possible for John and Hebrews. A much more probable explanation is however that the similarities are due to the fact that all are Jews—differing in temperament, outlook and experience, but all brought up in the Jewish tradition. Similarly, there was at one

27 *Trajectories* (supra, n. 11) pp. 71–113. The following quotations are taken from pages 43 and 104 of this book.

28 HTR 57 (1964) p. 278; reprinted in *Essays on Religion and the Ancient World* (Oxford 1972) p. 958.

time a tendency to detect Paul's influence in the work of other New Testament writers, so much so indeed that one could speak of an "all-pervasive Paulinism." The modern approach would recognise the similarities, but assign many of them to the common tradition of early Christianity, or to the Jewish tradition that lies behind it.

One perennial problem is that of relative chronology. It is for example a weakness of Bultmann's position that he has to postulate a pre-Christian Gnosis in a form which is only documented from the second Christian century. It may indeed be older, and elements of it certainly are, but the assumption that the completely integrated gnostic myth as reconstructed is pre-Christian, chronologically, goes beyond the evidence —it may well have existed prior to any contact with Christianity and its consequent incorporation into Christian Gnosticism, but that is another question. Now Scholem's book[29] begins by referring to "Jewish mysticism in the early talmudic period, especially in the second and third centuries." The traditions contained in these texts *may* be older—Quispel thinks of Pharisaic circles in the first century A.D.—but in the nature of the case we can never be absolutely certain. Moreover the second and third centuries are precisely those in which Gnosticism proper reached its peak, so that Scholem's Jewish mysticism might conceivably represent a parallel phenomenon within more or less orthodox Jewish circles, rather than a source of origin for Gnosticism. The Jewish mystics on the one hand and the gnostics on the other could both be utilizing material that was Jewish in origin, but combining it in their speculations with material drawn from other sources—on the one hand into systems which despite their esoteric character remained essentially orthodox and Jewish, on the other into systems radically dualistic and anti-Jewish, which confront us with the problem of explaining their antagonism to the God of the Old Testament. As Scholem himself puts it,[30] the texts of Merkabah mysticism display "an orthodox Jewish tendency," and are in no way heretical. In particular, they "adhere strictly to monotheistic concepts." Jonas makes the point that "Scholem himself is at pains to differentiate between 'Jewish Gnosticism . . . which was striving . . . hard to maintain a strictly monotheistic character,' and 'Gnostics' pure and simple or 'antinomian Gnostics' who frequently borrowed such material and deliberately changed it."[31]

The Scottish Presbyterian tradition includes in its heritage from the past the metrical version of the Psalms and a collection of "translations and paraphrases, in verse, of several passages of sacred Scripture." One of these paraphrases includes the lines:

29 *Jewish Gnosticism* (supra, n. 18) p. 1.
30 Scholem p. 10.
31 Jonas (supra, n. 19) p. 290.

"On eagles' wings they mount, they soar,
their wings are faith and love,
Till, past the cloudy regions here,
they rise to heaven above."

Comparison with the original (Is. 40:31) is both interesting and instructive! These would be curious sentiments indeed for an Old Testament prophet, but the moment it is realised that these lines come from an eighteenth-century paraphrase then all becomes plain. Numerous passages in Christian hymns of the period have at first sight a distinctly "gnostic" look, but in fact they have no real relation to Gnosticism at all; they derive from the Platonising interpretation of Christianity which prevailed for centuries. Toplady, for example, penned the thoroughly gnostic line "Here in the body pent"— but as the context shows he is thinking in terms of the Exodus as symbolic of the pilgrimage of life:

"Here in the body pent
Absent from Thee I roam,
Yet nightly pitch my moving tent
A day's march nearer home."

Such passages, and they could be multiplied, show how dangerous it is to argue from words and phrases taken out of context. They *may* indeed be pointers to some kind of connection, indicative of some influence, but we must also have regard to the main drive and thrust of the whole. And here it becomes appropriate to revert again to the distinction between Gnosis and Gnosticism advocated above.

To confine our attention, for convenience, to Gnosticism and Christianity, there comes a point—somewhere in the second century—at which the differences are so manifest as to set them clearly apart. On the one hand there is the "orthodox" Christian tradition running from the New Testament through the Church Fathers to Nicaea and beyond, on the other the Gnostic tradition (in the narrower sense) which came to be stigmatized as heretical. In the nature of the case, however, things are never quite so clear-cut; there must have been a considerable amount of speculation in the period which was part "Gnostic," part "orthodox" —one might think for example of Clement of Alexandria and Origen— and this must have been equally the case at an earlier stage when the lines of division had not yet been clearly drawn. Ideas were already in circulation, in Greek philosophy, in Judaism, in early Christianity, and in other religions of the time, which were eventually to be combined into the gnostic systems which we know. The distinction advocated above makes it possible to reserve the term Gnosticism for those later systems,

and use Gnosis for what is less clearly defined. It would, for example, have been legitimate for Scholem to speak of a Jewish Gnosis in this sense; it is his indiscriminate use of the terms Gnosis and Gnosticism for what on his own admission is fundamentally orthodox that gives rise to criticism. Possibly, indeed, we should add yet another stage, the pre-gnostic, for ideas and conceptions which in their context are primarily Platonic or Stoic or Jewish, although they are capable of application in a gnostic sense—otherwise the category of Gnosis may become so large as to be unmanageable; but an increase in the number of categories will add to the difficulty of classification. Philo, for example, is not gnostic in the strict sense, but should he be classed as gnostic in the wider sense, or pre-gnostic? In any case the category of Gnosis should be restricted to material which shows some demonstrable affinity with Gnosticism proper, but in relation to which there is some doubt whether it belongs in the latter category.[32]

Jonas in the final paragraph of his reply to Quispel[33] makes a programmatic statement: "A Gnosticism without a fallen god, without benighted creator and sinister creation, without alien soul, cosmic captivity and acosmic salvation, without the self-redeeming of the Deity—in short, a Gnosis without divine tragedy will not meet specification." This may be rhetorical—it occurs after all in the final peroration—but it seems also to be true, and to provide an effective criterion for making the basic distinction. "Gnosticism" in the strict sense then must be reserved for the second century sects. The trends and tendencies in this direction in the first century belong to the realm of the wider Gnosis. Earlier movements must be regarded as at most pre-gnostic, although they may contribute to the development of Gnosis and of Gnosticism. Here we should include Platonism and Stoicism, among the Greek philosophical schools, and various aspects of Judaism. The lines of distinction should not however be so rigidly drawn as to suggest that there could be no inter-action between one sphere and another.

32 Jonas (in *Le Origini* p. 104) does not think that any of the Qumran texts qualify for inclusion in the gnostic category. On this basis none of the Jewish "areas" mentioned in the text should be included, except perhaps for Philo. They have been drawn upon in some measure, but they are not yet gnostic. The case of Philo thus becomes significant, for here we have a fusion of Greek and Jewish thought as a stage in the development of Gnosticism proper.

33 Jonas (supra, n. 19) p. 293.

THE PRAGUE MANUSCRIPT OF *MISHNAT HA-MIDDOT*

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MISHNAT Ha-Middot is the oldest mathematical tract in Hebrew. Hitherto two manuscripts have been noted. One is the Munich MS Cod. Hebr. 36, which goes as far as the end of chapter V and contains 43 Mishnas. It was copied in Constantinople in 1480. According to the colophon, the copyist thought the text to be complete, and wrote the following final words: נשלם הפרק, ובהשלמתו תמה משנת המדות בעזר יודע חידות

This manuscript formed the basis of the Steinschneider[1] and Schapira[2] editions.

The other manuscript is a two-leaf Genizah-fragment in the Bodleian Library MS. Heb. c. 18. This consists of chapter I, Mishna 6 to chapter II, Mishna 10, and from chapter V, Mishna 3 to the end. There is also a VIth chapter, which breaks off at Mishna 4. This fragment was first published, together with the Munich manuscript, by S. Gandz;[3] he provided both texts with English translations and explanatory notes.

G. Ben-Ammi Sarfatti[4] clarified the technical vocabulary of the tractate and again published both manuscripts. Concerning the length of the text, he wrote: "It is impossible to say what the extent of the whole manuscript could have been" ואין לדעת מה היה היקף כתב היד בשלמותו.[5]

A happy accident has given us a solution to this problem. Among uncatalogued material in the Archives of the Jewish Museum of Prague (Státní Židovskí Museum v Praze) in 1965 were found 16 connected parchment folios, the last page of which was blank, showing that the

1 משנת המדות , *Mischnat ha-Middot, die erste geometrische Schrift in hebräischer Sprache, nebst Epilog der Geometrie des Abr. ben Chijja.* Ed. M. Steinschneider (Berlin, 1864).

2 משנת המדות , ed. H. Schapira (Leipzig, 1880). *Supplem. z. hist. lit. Abtheilung d. Zeitsch. für Math. und Physik, 1880.*

3 S. Gandz, *The Mishnat Ha-Middot. The first Hebrew Geometry of about 150. C.E. and the Geometry of Muhammad Ibn Musa al-Khowarizmi* (Berlin, 1932). Newly edited in *Studies in Hebrew Astronomy and Mathematics* (New York, 1970), pp. 295–358.

4 G. Ben-Ammi Sarfatti, *Leshonenu* 23 (1958/59), pp. 156–171; 24 (1959/1960), pp. 73–94. See B. Weiss, "Mishnat Ha-Middot," *Enc. Jud.* 12 (1971), col. 109.

5 *Ibid.*, 23 (1959), p. 157.

text ended on the previous page. The press-mark is Ms. 259. The dimensions are 34.5 cm x 29–30 cm. There are two columns per page, except for the last, which is continuous; columns 2–3, 10–11, 14–15, 26–27 are incomplete. The text was used for book-binding; the marginal glosses point to this:

Columns 5–6: 25. Nov. 1592—25. Nov. 1593. No. 3.
Columns 19–20: v. 25. Nov. 1590—25. Nov. 1593. No. 4.
Cassa-Rechnung.
Columns 23–24: 25. Nov. 1590—25. Nov. 1591. No. 1.
Page 29: Von 25. November 1591 bis 25. Novbr. 1592. No. 2.

Thus it is clear that at the end of the 16th century the manuscript was used to bind at least four sets of accounts. We have no further information about the origin of the manuscript.

Columns 1 to 24 give the text of the Sifra, as the late Dr. O. Muneles already realized; there is no difficulty, since the title is given: תורת כהנים. V. Sadek has undertaken the work of analyzing the material.[7]

From Column 25 to the first three lines of Column 28, there is an as yet unassignable text.

Column 28 and page 29 give Mishnat Ha-Middot, from the beginning to the end of chapter I, Mishna 8 and also from the end of chapter V, Mishna 5 to chapter VI, Mishna 6, which is the end of the tractate. Thus we have located the end portion of the tractate and have found two Mishnas, 5, and 6, which are missing from the Oxford fragment; the only existing manuscript of these two Mishnas is thus the Prague manuscript.

The manuscript is written throughout by the same hand; we cannot say how the three very different texts came to be incorporated into one manuscript.

The copyist of the Prague manuscript did not always understand the text. The errors have been left uncorrected so that the eventual critical edition might be able to use the original version.

6 See now *Sifra or Torat Kohanim according to Codex Assemani LXVI*, ed. L. Finkelstein (New York, 1956).

7 See V. Sadek, "Aus der Handschriftensammlung des Staatlichen Jüdischen Museums in Prag, Illuminierte Handschriften des 18. Jahrhundertes," *Judaica Bohemiae* 5 (1969), pp. 140–151; A. Scheiber, "Bemerkung zur hebräischen Handschrift mit der Signatur "Ms 16" im Prager Staatlichen Jüdischen Museum", *ibid.*, 6 (1970), p. 70.

Some of the errors are given below:

I, 3:	למקוצעות	instead of	למקצעות
I, 6:	במבין	,, ,,	במניין
I, 6:	בשעה	,, ,,	תשעה
I, 7:	מציע	,, ,,	מצלע
I, 7:	יכין	,, ,,	ימין
I, 7:	כהן	,, ,,	בהן
I, 8:	מנין והלך	,, ,,	מכאן ואילך
I, 8:	האחרים	,, ,,	האחדים
V, 5:	שחיצה	,, ,,	שחציה
VI, 2:	וברוב	,, ,,	וברובע
VI, 3:	מאות	,, ,,	אמות
VI, 6:	"	,, ,,	"

On page 29 there are several diagrams; these are not given, since they can be seen on the accompanying photograph.

Before giving the text we should like to express our grateful thanks to Dr. V. Sadek, Dr. J. Zyssman and Dr. G. Ben-Ammi Sarfatti[8] for their kind help in the course of our work.

[פרק א] [p. 28]

בארבעה דרכים מדידה נקצבת ואילו הן מרובעת ומשולשת העגולה והקשותה זה הכלל השנייה חצי הראשונה והרביעית חצי השלישית ושאר כל הצורות האחרות משולבות זו בזו.

ב. כיצד ניכרות המרובעת בשלשה פנים בצלע בחוט ובגג. ואי זהו הצלע זה המחזיק דפנותיו של גג רבוע יהיה המזבח והחוט זה המפסיק מזוית לזויות מן הקצה אל הקצה והוא היתר באורכו של גג והגג עצמו הוא המשיחה.

ג. והמשולשת בארבעה פנים בשני צלע ובקבע בעמוד ובגג אילו הן בשני צלע זה שהן מושכין ימין ויכין כי ימין ושמאל תפרוצי והקבע זה ששני צלעים קבועים עליו אשר הבית נכון עליהם והעמוד זה חוט הסלול היורד מבין שני צלעים לקבע והוא הזוית למקוצעת המשכן והגג עצמו היא המשיחה.

ד. העגולה בשלשה פנים בסביבה בחוט ובגג איזו היא הסביבה זה הקו המקיף את העגול וקו שלשים באמה יסוב אותו סביב והחוט זה המושך משפה אל שפה משפתו אל שפתו סביב והגג עצמו הוא המשיחה.

ה. והקשותה בארבעה פנים בקשת וביתר ובחץ ובגג איזו היא הקשת זה החלק מן העגול כמראה הקשת אשר יהיה בענן היתר זה המחזיק שני כיפי הקשת מפני הקשת דרוכה והחץ זה המושך מאמצע הקשת לאמצע היתר כוננו חצם על יתר והגג הוא המשיחה.

8 See now Sarfatti's new book: מונחי המתמטיקה בספרות המדעית העברית של ימי הביניים (Jerusalem, 1968), pp. 58–60.

ו. כיצד מודדין את המשיחה במבין אתה מחשב אחד על אחד זו היא המשיחה והיא אמה על אמה נמצא הגג השוה בצלעים ובזויות הרי הוא מנה באמה מכל צד והטבלא העומדת שנים מכל צד והזויות שוים המדידה מתחזקת ארבע מנים במידת האחד שהוא אמה בתוך אמה וכשהוא שלושה מכל צד הרי הוא בשעה מנים במידת האחד וכן ארבעה על ארבעה וחמשה על חמשה מניין לך צא וחשוב כמידה הזאת ולמעלן.

ז. והפחותים מן האחד כך אתה מחלקן אמה אחת לשנים חוטין זה מפסיק זה את זה באמצע מציע ימין לצלע יכין וכן מרום לתחת נמצא הגג חלוק בארבע פסיקיאות ואתה מודד חצי אמה על חצי אמה. ומשיחה עצמה מחלק מארבעים אמה שהוא רובע מכל צד וכן שליש על שליש וחומש בתוך חומש בשוים ובחילופים מיכן ואילך צא וחשוב בשבורים כמידה הזאת ולמטן.

ח. כבר אמרו מחצה על מחצה הוא הרובע וכן שליש על שליש הוא התשע כהן וכדומה להן בשוים ובחילופים מנין להם אלא אחוז כך מונה אתה עשר על עשר הרי הן עולין למאה וחצי העשר הוא החמשה וחמשה על חמשה הרי הן עשרים וחמש נמצא עשרים וחמש הן הן רובע המאה ומעמד העשר כאחד והמאה כעשר והאלף כמאת מונין והלך צא וחשוב בשבורים כמידת האחרים אלא

[פרק ה, ג] [p. 29]

שהיא אחד עשרה וצרף אותה בחצי החוט שהוא שלש וחצי ועולין שלשים ושמונה כן בראשונה כן באחרונה.

ד. הרי הוא אומ׳ ויעש את הים מוצק עשה וגו וקו שלשים [באמה] מה תלמ׳ לפי שאמרו בעגולה שהסביבה מחזקת שלשה פעמים ושביע בחוט יצא מהם שביע אחד בעביו של ים לשתי שפתות ונותר שם שלשים אמה יסוב אותו סביב ובשיעור זה אחד שוים הימים והמקוות והבורות באורך ורוחב ועומק הא למדתה מידת העגולה.

ה. שלשה דברים בקשותה ואילו הן הישרה והחסירה והיתירה איזו היא הישרה כל שהיא עומדת כחצי העגולה לא חסר ולא יותר החסירה כל שהיא פחותה מחצי עגולה והיתירה כל שהיא עודפת על חצי העגולה זה הכלל כל שחיצה עומד פחות מחצי היתר בידוע שהיא חסירה וכל שחיצה יותר מחצי היתר בידוע שהיא יתירה.

ו. הרוצה למוד את היתר הישרה מצרף את היתר כולו בתוך עצמו ומשליך ממנו שביעו וחצי שביעו משליך חציו והנמצא הוא המשיחה.

ז. והאחרות צריך לידע כמה הוא שיעור עגולתה כיצד משער מצרף את היתר בתוך עצמו והעולה מחלקו על החץ והנמצא מן החילוק מוסיפו אף על החץ והעולה [ה]וא חוט העגולה ואוחז חצי החוט הזה ומצרף אותו בתוך חצי החץ והעולה מעמידו לצד ורואה אם הקשותה חסירה [משליך חצה] מחצי חוט העגולה ומצרף בתוך חצי היתר ופוחת אותו מן הצד והנשאר הוא המשיחה.

ח. ואם היתה הקשותה יתירה משליך חצי העגולה מחיצה עצמה ומצרף את השאר בתוך חצי היתר ומוסיף אותו על הצד והעולה היא המשיחה כמידת הראשון כן מידת האחרון.

[פרק ו]

[א] הרי הוא אומ׳ אורך החצר מאה באמה אם האורך [הי]ת חמשים בחמשים מה תל׳ לו ואם הרוחב חמשים בחמשים מאה באמה מה תל׳ לו וצלעי החצר אינן שוים. הא כיצד חמשים בחמשים לפני אהל מועד לצד מזרחי שבו נתון כיור ומזבח העולה ושלשה הנותרים חמשים בחמשים שהם דרום ומערב וצפון עשרים אמה לכל רוח והאהל באמצע שלשים אורך ועשר רוחב צא מהן אמה אחת לעובין של קרשים נותר שם תשע עשרה אמה לכל רוח נמצא עובין של אדן.

ב. נחמיה אומ׳ נמצאו צידי האוהל מבפנים שבעים אמות שלימות ומבחוץ עם הקרקע שבעים וארבע אמות חסר עובין של אדנים ובאמצע עובין שבעים ושתי אמות חסר קימאה מכל צד וברוב עובין שבעים ואחת אמה חסר קימאה מכל צד שהוא שבעים אמה ושיריים וראשן של קרשים שבעים אמה בלבד הא למדתה שהיו עוביין של קרשים מבחוץ כלין ועולין עד הראש וכנגדן רוחבן של שני קרשים לעומת האורך היו חסירים ועולין לוכסין מיכן ומיכן לשני המקצועות כנגד עוביין של קרשים ובגביהן כלין ועולין כלפי ששה קרשים והיריעות פרוסות אורכן כנגד רוחבן של אוהל ורוחבן כנגד אורכו.

ג. נמצאת אומ׳ שהיו שני קרשים הללו קטנים מכל הקרשים כשיעור השליש מן האחד כמה היתה מידתן של קרשים אמה וחצי רוחב על עשר אמות אורך שהן עולין חמש עשרה אמה. של שני קרשים אמה וחצי אמה מלמטן וחצי אמה מלמעלן שהן עשר אמות חצי אמה רוחב על עשר אמות אורך חמש מאות מבפנים וכן לצד השיני קרשים נשתייר שם אמה אחת מלמטן חסר. עולה לוכסין כנגד עוביין של קרשים מבחוץ שבצפון ושבדרום שהן חמש מאות אחרות כן הוא אומ׳ והיו תואמים מלמטה וכת׳ והיו שמונה קרשים. והיה המשכן אחד לא חסר ולא יותר.

ד. נמצא עוביין של קרשים עם חצי קומתן שהוא לעומת קלעי החצר עוביין שם חצי אמה בלבד לא חסר ולא יתר והוא עם חצי המלא מבחוץ לארבעים ושמונה קרש בשוה אם כן מה אני מקיים והבריח התיכון בתוך הקרשים מבריח מן הקצה אל הקצה. והלא התיכון הזה שהוא אורך ורוחב ועומק היה נראה מבחוץ על גבי הקרשים וצריך שיהיה הבריח הזה בנקובת עוביין של קרשים והרי אין שם עובי כלל אלא חצי אמה בלבד מחציו ולפנים. הא כיצד אלא שיהו הנקובות כולן בתוך עובי חצי האמה הנשארה עם חצי הקומה לצד האוהל רביע אמה מיכן ורביע אמה מיכן והבריח מבריחן כדי שיהו ארבעה נאחזים מבחוץ וזה בפנים.

ה. נמצא מקום אורך הבריח התיכון שבעים אמה ושירים והוא עיקר חמשת אלפים אמה ואינו יוצא בחש[בו]ן והשירים הזה חציו היה בזוית זה וחציו היה בזוית זה בירכתים ימה הא למדתה מידת העיקר מן התורה סימן לדבר הקודש עיקר. כיוצא בו בשולחן שהיה תוכו עיקר צלעותיו שהן שלש מת... [...] וכן במזבח הזהב שהיה תוכו עיקר חצי צלעותיו ויצאו להבן בחשבון הוי או שהעיקר יש בו שהוא יוצא ויש בו שאינו יוצא אבל יוצא הוא בקרוב לו.

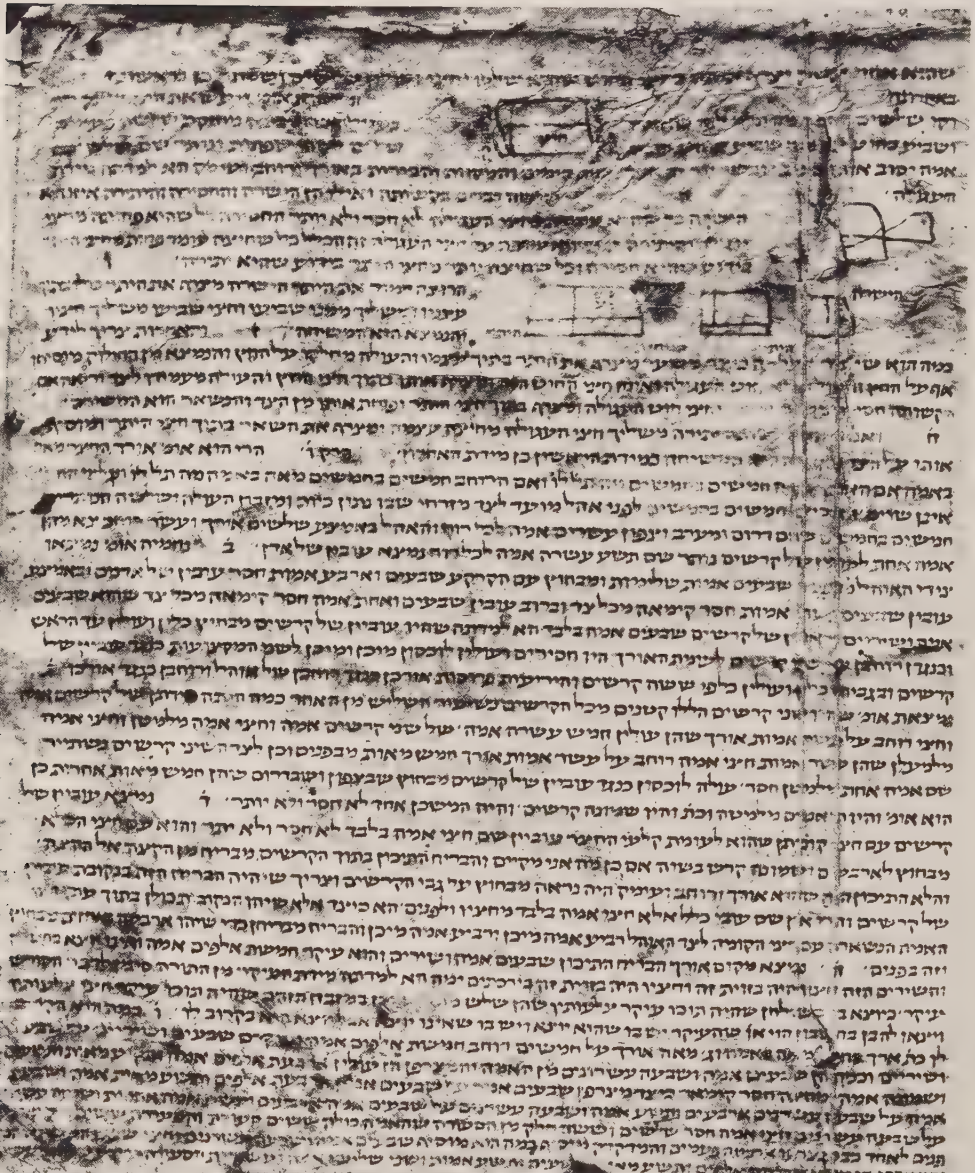
ו. כמה הוא הקרוב לו כת׳ ארך החצ[ר] מאה באמה וג׳. מאה אורך על חמשים רוחב חמשת אלפים אמה ועיקרם שבעים ושיריים על שבע[ים] ושיריים וכמה הן

שבעים אמה ושבעה עשרונים מן האמה והמצרפן הן עולין ארבעת אלפים אמה ותשע
מאות ותשעים ושמונה אמה מחצה אמה חסר קימאה כיצד מצרפן שבעים אמה על שבעים
אמה ארבעת אלפים ותשע מאות אמה ושבעים אמה על שבעה עשרנים ארבעים
ותשע אמה ושבעה עשרנים על שבעים אמה ארבעים ותשע אמה אחרות ושבעה
עשר[נים] על שבעה עשרנים חצי אמה חסר שלשים וששה חלק מן הסעורה שהאמה
כולה ששים סעורה והסעורה ששים חלק ארבעה פנים לאחד כבר נצרפו ארבעה
פעמים והמדקדק מוסיף במה הוא מוסיף שבעים אמה ושבעה עשרנים וחצי שביע
העשרון הם * והמצרפן הן עולין ארבעת אלפים ותשע מאו[ת ת]שעים ותשע אמות
ושני שלישי אמה ועשירית הסעורה ורובע שתות מעשירית הסעורה והמוסיף הוא
עודף על הצירוף סי[מ]ן [ב]אדם ו[ב]המה יצאו כנים מן הבהמה: ב׳ צורה

* שתי האותיות הן ראשית המלה הבאה, להשלמת השורה.

ומביא חלקי אבנים מפולמות בין גדולות בין קטנות וממלא
אותו ומביא סיד וזפת וקוניא וממהא ושופך וזה הוא מקום
הקרנות וכן לכל קרן וקרן בארבע זוותיו ׃

בארבעה דרכים מדידה נקצבת ואילו הן מרובעת ומשולשת
העגולה והקשותה זה הכלל השנייה חצי הראשונה והרביעית
חצי השלישית ושאר כל הצורות האחרות משולבות זו בזו ׃
ב׳ כיצד ניכרות המרובעת בשלשה פנים בצלע בחוט
ובגג איזהו הצלע זה המחזיק דפנותיו של גג רבוע יהיה
המזבח והחוט זה המפסיק מזוית לזוית מן הקרנה אל הקרנה
והוא היתר באורכו של גג והגג עצמו הוא המשיחה ׃
ג׳ והמשולשת בארבעה פנים בשני צלע ובקבע בעמוד
ובגג אילו הן בשני צלע זה שהן משכין ימין ויכון כי ימין
ושמאל תפרוצי והקבע זה ששני צלעים קבועים עליו אשר
הבית נכון עליהם והעמוד זה חוט הסלול היורד מבין שני
צלעים לקבע והוא הזוית למקרנעות המשכן והגג עצמו
הוא המשיחה ׃ ד׳ העגולה בשלשה פנים בסביבה בחוט
ובגג איזו היא הסביבה זה הקו המקיף את העגול וקו שלשים
באמה יסוב אותו סביב והחוט זה המושך משפה אל שפה
משפתו אל שפתו סביב והגג עצמו הוא המשיחה ׃ ה׳
והקשותה בארבעה פנים בקשת וביתר ובחץ ובגג איזו היא
הקשת זה החלק מן העגול כמראה הקשת אשר יהיה בענן
היתר זה המחזיק שני כיפי הקשת מפני הקשת דרוכה והחץ
זה המושך מאמצע הקשת לאמצע היתר כונגו חצים על
יתר והגג הוא המשיחה ׃ ו׳ כיצד מודדים את המשיחה
במבין אתה מחשב אחד על אחד זו היא המשיחה והיא
אמה על אמה נמצא הגג השוה בצלעים ובזויות הרי הוא
מנה באמה מכל צד והטבלא המ[illegible]ת שתים מכל צד והז
והזויות שוים המדידה מתחזקת ארבע מנים במידת האחד
שהוא אמה בתוך אמה וכשהוא שלושה מכל צד הרי הוא
בששה מנים במידת האחד וכן ארבעה על ארבעה וחמשה
על חמשה מניין לך יצא נחשוב כמידה הזאת ולמעלן ׃
ז׳ והפחותים מן האחד כך אתה מחלקן אמה אחת
לשנים חוטין זה מפסיק זה את זה באמצע מצע ימין לא
לצלע יכון וכן מרום לתחת נמצא הגג חלוק בארבע פסיק
פסיקי אות ואתה מודד חצי אמה על חצי אמה ומשיחה
עצמה מחלק מארבעים אמה שהוא רובע מכל צד וכן מ
שליש על שליש וחומש בתוך חומש בשורים ובחילופים
מיכן ואילך יצא וחשוב בשבורים כמידה הזאת ולמטן ׃
ח׳ כבר אמרו מחיצה על מחיצה הוא הרובע וכן שליש
על שליש הוא התשע מהן וכדומה להן בשורים ובחילופים
מנין להם אלא אחוז כך מונה אתה עשר על עשר הרי הן
עולין למאה וחצי העשר הוא החמשה וחמשה על חמשה
הרי הן עשרים וחמש נמצא עשרים וחמש הן הן רובע
המאה ומעמד העשר כאחד והמאה כעשר והאלף כמאה
מונין והלך יצא וחשוב בשברים כמידת האחרים אלו



SOME REMARKS ABOUT THE PRAGUE MANUSCRIPT OF *MISHNAT HA-MIDDOT*

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THE new fragment of Mishnat ha-Middot which has been found in the Archives of the Jewish Museum of Prague and has been published by Prof. Scheiber[1] is of outstanding importance for the understanding of this short but very peculiar and interesting tract and for the completion of its text.

The larger part of the Prague fragment (= P) contains matter already known from the Munich ms (= M) published by Steinschneider and from the Geniza-leaves of the Bodleian Library (= B) published by Solomon Gandz, and runs parallel to them; but the last two Mishnas (VI:5,6) were unknown until now, and the preceding Mishna (VI:4) was only partially readable in B, extremely blurred towards its end.

P hails from the same source as M and B: this we learn from some obvious mistakes common to the three mss, e.g. מצלע ימין לצלע ימין instead of מצלע ימין לצלע שמאל (1:7),[2] and the redundant היתר in V:6. Generally P is much nearer to the more ancient and reliable B than to M: where B and M differ, P nearly always follows B. In P we find spellings peculiar to the ancient Palestinian mss, such as קימאה (VI:2 B and P, VI:6 P) instead of the more usual and "correct" קמעה, and מיכן (I:6 B, 1:7 B and P, VI:4 P) instead of the later מכאן; similarly, we find סעורה (VI:6 P) written with ס instead of ש. P tends to use a relatively large number of *matres lectionis* though sometimes lacks consistency: cf. עשרונים/עשרנים (VI:6), שיריים/שירים (VI:5, 6). In a large number of features, mainly orthographical ones, P is independent from both M and B—and sometimes is better. Only P gives the right reading חיצה (= "its arrow") in V:5 (twice, against חצייה) of M and חציה of B (= "its half," which does not make sense), and only P gives the right marking of the beginning of Mishna 4, between V:3 and V:5, omitted in the other mss.

1 I am extremely grateful to Prof. Scheiber who sent me the photostats of the two pages and the manuscript of his paper before its publication, and who agreed to add these remarks to his paper.

2 In Gandz's edition, wrongly, מצלע ימין לצלע שמאל. Unfortunately one has to be extremely wary when using Gandz's transcription and textual remarks, since a large number of mistakes flaws his otherwise outstanding work.

It will be worthwhile to edit the entire tract again, now that we can use this new ms. In the meantime I am giving below a translation of the new material supplied by P, i.e. the second part of VI:4 and the two last Mishnas VI: 5, 6, with some additional explanations, as a completive appendix to Gandz's edition.

CHAPTER VI, MISHNA 4

> [...] Now this middle [bar], which had length and breadth and height, was [necessarily] visible from the outside on the back of the boards. Yet, it was required that this bar should be in the hollow of the thickness of the boards, and there was no thickness at all but half a cubit only from its half and thence forth. How then? [there is no other explanation] but that this entire hollow was inside the thickness of the half cubit, that was left in the middle of the height towards the tent, a quarter of a cubit from one side and a quarter of a cubit from the other side, and the bar passed through [the boards], so that there were four bars clasping on the outside and this one inside.

To understand this passage one has to bear in mind that Mishnat ha-Middot, after a geometrical introduction about the measurements of areas and volumes in chapters I—V, deals in chapter VI with the Tabernacle erected by the Jews in the desert and with the details of its structure: the measurements of the Tabernacle and its court (Mishna 1), the shape of the boards of the Tabernacle (הקרשים) and their measures (Mishna 2), the special measures of the two boards at the western angles of the Tabernacle (Mishna 3), and the "middle bar" (הבריח התיכון) (Mishna 4). According to Exodus the Tabernacle was 30 cubits long, 10 cubits broad and 10 cubits high; there were 20 boards, each 1½ cubits broad and 10 cubits high, for the length sides of the Tabernacle (south and north sides), and 8 boards of the same dimensions for the breadth-side on the west; the east side had no boards at all but only a screen of linen. The Talmud and the Midrash assume that the boards were one cubit thick; according to Rabbi Neḥemya (whose opinion Mishnat ha-Middot represents) this thickness decreased from one cubit at the bottom to one finger at the top (the inside face of each board being vertical and the outside face slanted), hence the outside perimeter of the three walls was also decreasing. It follows that the Tabernacle near the ground measured 30 cubits in length by 10 cubits in breadth in the inside, and 31 cubits by 12 on the outside, adding the thickness of the boards; at the heigth of five cubits, where the middle bar was located, the thickness of the boards was half a cubit only so that the outside measures there were 30½ cubits by 11 cubits; since the middle bar passed through the boards,

it left a quarter of a cubit on one side and a quarter of a cubit on the other side.

שהוא אורך ורוחב ועומק *which had length and breadth and height*—Gandz read in B ועוביו ("and its thickness") instead of ועומק, but the reading of P is better. עומק, that is, height, as the name of the vertical dimension, instead of גובה, or רום, or קומה, is typical of Arabic influence.[3]

אין שם עובי כלל *there was no thickness at all*—Gandz read in B שבעים ("seventy") instead of עובי and suggested to correct שיריים ("a rest").

מחציו ולפנים *from its half and thence forth*—Not clear (Gandz).

עם חצי הקומה לצד האוהל *in the middle of the height towards the tent*—Halfway between the bottom and the tent that covered the Tabernacle.

כדי שיהו ארבעה נאחזים מבחוץ וזה בפנים *so that there were four bars clasping on the outside and this one inside*—The letter נ of נאחזים is not clear; Gandz read in B כאחדים, Sarfatti (in *Leshonenu*) read אחרים. The present reading makes sense: four of the five acacia-wood bars on each of the three walled sides of the Tabernacle (Exodus 26:26–28) were external to the boards, passing through rings attached to them, and the middle one passed inside the boards.

MISHNA 5

> You find that the space of the length of the middle bar is seventy cubits and a rest, and this is the root of five thousand cubits, but it cannot be calculated. And this rest, half of it was at one angle and half of it was at another angle, at the western side. Thus you have learned the measure of the square from the Torah. A [mnemotechnical] mark of this: The sanctity is the essence. Similarly [you find] about the [show-bread] table that its inside was [equal to] the root of its sides, which were three [. . .], and so [you find] about the golden altar that its inside was [equal to] the root of half its sides, and they can be calculated. You must admit that the root sometimes can be calculated and sometimes cannot be calculated, but it can be calculated by approximation.

שבעים אמה ושירים *seventy cubits and a rest*—This is not accurate: as we have already said, on account of the tapering shape of the boards, the length of the Tabernacle at half its height was, from the outside, 30½ cubits, and its breadth 11 cubits; the perimeter of the three walled sides was 72 cubits; it follows that the length of the middle bar, passing in the middle of the thickness of the boards, was exactly 71 cubits.

והוא עיקר חמשת אלפים אמה *and this is the root of five thousand cubits*—Seventy and a rest is the root of five thousand (cf. Mishna 'Eruv. II:5).

3 Cf. Sarfatti, *Mathematical Terminology in Hebrew Scientific Literature of the Middle Ages* (Jerusalem, 1968), § 95.

Now, five thousand square cubits is the area of the court of the Tabernacle (50 X 100 = 5000, Exodus 27:12, 18, cf. following Mishna): the Author sees in these two numbers, both connected with the dimensions of the Tabernacle and its court, a hint about the irrational root of 5000: הא למדתה מידת העיקר מן התורה *thus you have learned the measure of the root from the Torah,* and he gives the mnemotechnical mark הקודש עיקר that has a double meaning: *The sanctity is the essence* and *The Tabernacle is the root.*

עיקר *root*—The term עיקר in the meaning of "root" is one of the characteristic terms of the tractate; and so is the verb צירף (Mishna 6) in the meaning of "multiply."

ואינו יוצא בחשבון *but it cannot be calculated*—5000 is not a square number, so that its root is an irrational number.

והשירים הזה חציו היה בזוית זה וחציו היה בזוית זה בירכתים ימה *and this rest, half of it was at one angle and half of it was at another angle, at the western side*—30 cubits of the middle bar were inside the northern boards, another 30 were inside the southern boards, and 10 were in the western boards alongside the inner breadth of the Tabernacle —70 cubits altogether; the remaining part of the bar was inside the western boards, at its two extremities.

בירכתים ימה — cf. Exodus 26:23, 27 and Ezekiel 46:19.

כיוצא בו בשולחן... וכן במזבח הזהב... *similarly you find about the show-bread Table ... and so you find about the Golden Altar ...* — Evidently the Author brings two more Scriptural examples of numbers and their roots, and in these cases the roots are whole numbers: ויצאו להם (the word להבן should be thus corrected, because the copyist, by a graphic mistake, has divided the letter ם in the two letters בן, and should be interpreted as a dativus ethicus) בחשבון — but to this writer the meaning is completely obscure. Instead of וכן one could read here רכז and reconstruct the word [מ]רכז (as suggested at first by Dr. Sadek), but I do not see how it would fit the context; on the other hand, this term (a loan from the Arabic) never appears in Mishnat ha-Middot.

הוי אומר שהעיקר יש בו שהוא יוצא ויש בו שאינו יוצא אבל יוצא הוא בקרוב לו *you must admit that the root sometimes can be calculated and sometimes cannot be calculated, but it can be calculated by approximation*—There are square numbers whose root is an integer, and there are numbers which are not squares and their root is irrational, and cannot be calculated exactly but only by approximation.

MISHNA 6

What is the approximation? There is written: "The length of the court shall be a hundred cubits" etc. (Exodus 27:18)—a hundred in length by fifty in breadth are five thousand cubits, and its root

is seventy and a remainder by seventy and a remainder. And how much is it? Seventy cubits and seven tenths of a cubit. And if you multiply them the result is four thousand cubits and nine hundred and ninety-eight cubits [and] a half less a trifle. How do you multiply them? Seventy cubits by seventy cubits are four thousand and nine hundred cubits; and seventy cubits by seven tenths are forty-nine cubits; and seven tenths by seventy cubits are another forty-nine cubits; and seven tenths by seven tenths are half a cubit less thirty-six parts of a barley-corn, because a whole cubit is sixty barley-corns, and a barely-corn is sixty parts. Each one has four aspects. They have been multiplied four times. And he who wants to be more precise will add. How much does he add? Seventy cubits and seven tenths and half a seventh (read: sixth) of a tenth. And if you multiply them the result is four thousand and nine hundred ninety-nine cubits and two thirds of a cubit and a tenth of a barley-corn and a quarter of a sixth of a tenth of a barley-corn. And he who adds [more] will find too great a product. [. . .]

The first approximation given here for the root of 5000 is 70.7. If you multiply this number by itself you do not get 5000 but only 4998.49 ארבעת אלפים אמה ותשע מאות ותשעים ושמונה אמה [ו]מחצה חסר קימאה. The multiplication, according to the explanation of the Author, is done in the following way:

$$\begin{aligned} 70 \times 70 &= 4900 \\ 70 \times 0.7 &= 49 \\ 0.7 \times 70 &= 49 \\ 0.7 \times 0.7 &= 0.5\frac{36}{3600} \\ \hline 4998.5 - \frac{1}{100} &= 4998.49 \end{aligned}$$

What was called "a trifle" is now specified as $\frac{36}{3600}$ that is $\frac{1}{100}$. In order to point out this small fraction, the Author introduces a sexagesimal division of the cubit: one cubit is sixty barley-corns, and one barley-corn is sixty parts, *ḥalaqim.* One *ḥeleq* is $\frac{1}{3600}$ of a cubit, so that 36 *ḥalaqim* are a hundredth of a cubit. The calculation is absolutely exact. But it must be pointed out that this is quite a new subdivision of the cubit: in talmudical literature the sub-unit of the cubit is *ṭefaḥ,* (hand-breadth), 6 hand-breadths to the cubit, and the sub-unit of the hand-breadth is *'ṣbaᶜ* (finger) or *'agudal* (thumb), 4 fingers to the hand-breadth, so that there are 24 fingers in a cubit.[4] Maimonides used the barley-corn in order

4 Cf. B. Zuckermann, *Das jüdische Maassystem,* (Breslau, 1867), pp. 14–21.

to define the cubit: רוחב הגודל האמור בכל השיעורים האלו ובשאר שיעורי תורה כולה הוא אצבע הבינוני. וכבר דקדקנו בשיעורו ומצאנוהו רחב שבע שעורות בינוניות זו בצד זו בדוחק והן כאורך שתי שעורות בריוח. וכל טפח האמור בכל מקום הוא ארבע אצבעות מזו. וכל אמה ששה טפחים. "the breadth of the thumb that appears in all these measures and in all other measures of the Torah is that of a medium finger. And we investigated minutely its measure and found that it is seven medium barley-corns broad, pressed one to the other, and that is equal to the length of two barley-corns loosely placed. And every hand-breadth mentioned is four of these fingers. And every cubit is six hand-breadths" (Hilkot Sefer Tora IX:9). In this way there are in one cubit 168 barley-corns in breadth, or 48 in length; but barley-corn is not used by Maimonides as a definite unit of length, but as a concrete object of known magnitude—and so it is used in the Talmud as well.[5]

The author introduced a new subdivision of the cubit based on sexagesimal fractions, a system largely employed by the Babylonians, Greeks and Arabs for calculation of quantities smaller than the unity; nevertheless, in accordance with his tendency to express himself in mishnaic Hebrew, he called the first sub-unit *seʿora,* a name that he found in the Mishna to signify a certain size. He was compelled to invent this subdivision and to give different names to the sub-units, in order to express fractions of the cubit, because in ancient mathematics, until the Middle-Ages, it was usually preferred to express quantities smaller than the unity by sub-units of measures, rather than by arithmetical fractions.[6] For the same reason we find here שבעה עשרונים מן האמה for "seven tenths" and not שבע עשיריות, עשרון being the name of a measure, the tenth part of the *'efa.*

ארבעה פנים לאחד. כבר נצרפו ארבעה פעמים *Each one has four aspects. They have been multiplied four times*—The meaning is not clear; perhaps it means that the multiplication of 70.7 by itself has been done by means of four partial multiplications.

והמדקדק מוסיף *And he who wants to be more precise will add* and will look for a nearer approximation. The second approximation proposed is is $70 + \frac{7}{10} + \frac{1}{2 \times 6 \times 10} = 70.7 + \frac{1}{120}$. The text reads: שבעים אמה ושבעה עשרנים וחצי שביע העשרון; the word שביע is not clearly written: instead of the letter י we could read ג but on the other hand perhaps what looks like the lower part of a ג is just a blot; anyhow what follows compels us to correct the text and read שתות or שישית, a sixth—and that is also more in line with the mathematical approach of Mishnat ha-Middot, because "a sixth of a tenth" is again a sexagesimal fraction.

5 *Ibid.* p. 56.

6 Cf. D. E. Smith, *History of Mathematics* (New York, 1958), vol. II, pp. 208 ff.; G. Sarfatti, *Tarbiz* 28 (1958–59), p. 14.

Once again the Author multiplies the suggested root by itself in order to evaluate the degree of approximation that he has attained, and now he finds

$$\left(70+\frac{7}{10}+\frac{1}{120}\right)^2 = \left(\frac{8485}{120}\right)^2 = \left(\frac{1697}{24}\right)^2 = \frac{2879809}{576} =$$
$$4999+\frac{385}{576} = 4999+\frac{2}{3}+\frac{1}{10\times 60}+\frac{1}{4\times 6\times 10\times 60}$$

ארבעת אלפים ותשע מאות תשעים ותשע אמות ושני שלישי אמה ועשירית הסעורה ורובע שתות מעשירית הסעורה This number may be written $4999 + \frac{2}{3}+\frac{1}{600}+\frac{1}{14400} = 4999.6+\frac{197}{2880}$, and it falls short of 5000 by less than 0.4. This is a remarkable approximation, compared with $70+\frac{2}{3}$ given for this root by the Jerusalem Talmud (‘Eruv. 11:5 = page 20b) and the approximation by excess $70+\frac{5}{7}$ given by Maimonides (Mishna Commentary, ‘Eruv. II:5). How did the Author attain this result?

Following the method by which Greek mathematicians extracted the root,[7] the author of Mishnat ha-Middot may have proceeded as follows. First of all he found by trial and error the integer which is nearest by defect to the root of 5000; this is 70. Now $70^2 = 4900$, so that the remainder is 100. Suppose now that the rest of the square root is expressed by means of a decimal fraction, and that we may therefore put

$$\sqrt{5000} = \sqrt{70^2+100} = 70+\frac{\times}{10}.$$

This gives

$$70^2+100 = 70^2+\frac{140\times}{10}+\frac{\times^2}{100}.$$

Thus $\times$ must be such that $\frac{140\times}{10}$ is somewhat less than 100, or $\times$ must be somewhat less than $\frac{100}{14}$. $\times = 7$ will satisfy the condition. So we reach the approximation $\sqrt{5000} = 70+\frac{7}{10}$.

Let us now proceed in the same way. $\left(70+\frac{7}{10}\right)^2 = 4998.49$, so that the remainder is $5000 - 4998.49 = 1.51$. If we express the rest of the square root by a sexagesimal fraction, we will put

$$\sqrt{5000} = \sqrt{70.7^2+1.51} = 70.7+\frac{\times}{60}$$

which gives

$$70.7^2+1.51 = 70.7^2+\frac{141.4\times}{60}+\frac{\times^2}{3600}.$$

$\times$ must be such that $1.51 > \frac{141.4\times}{60}$ or $\frac{90.6}{141.4} > \times$. The simplest frac-

7 Cf. T. L. Health, *The Works of Archimedes* (New York: Dover Publications), pp. lxxiv ff.; D. E. Smith, *ibid.* pp. 114–5.

tion that satisfies this condition is $x = \frac{1}{2}$. So we have

$$\sqrt{5000} = 70.7 + \frac{1}{120}$$

and this is the second approximation given by our text!

Of course one could find the new remainder and look for the second sexagesimal fraction $\frac{y}{60^2}$ and so on idefinitely—but the Author stops there, by saying והמוסיף הוא עודף על הצירוף *and he who adds more will find too great a product,* which means that if you take as the root a number greater than that given here, when you multiply it by itself you will get a number greater than 5000—which is not necessarily true.

The two Mishnas that the Prague ms has revealed to us have proved to be very interesting. I am not sure that Prof. Scheiber's opinion that —since the following page was left blank—we now have the original end of Mishnat ha-Middot, is quite irrefutable. After all, the copyist of the Munich ms thought that the tract had only five chapters, as he has made clear by his colophon, and he was evidently mistaken; more material might once have been extant, unknown even to the copyist of the Prague ms.

LES ETUDES DE PHILOSOPHIE JUIVE DU MOYEN AGE DEPUIS LA SYNTHESE DE JULIUS GUTTMANN

(Deuxième Article)*

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AU douzième siècle de l'ère usuelle appartiennent encore deux auteurs et sans doute aussi une oeuvre anonyme dont l'origine n'est pas éclaircie d'une façon sûre.

L'un des auteurs (il a abandonné le judaïsme à un âge déjà avancé), compte parmi les figures éminentes de l'histoire de la philosophie musulmane, au sein de laquelle il continua la ligne d'Ibn Sīnā (Avicenne), non sans l'infléchir d'ailleurs en amorçant des démarches neuves qui l'apparentent idéologiquement sinon historiquement aux penseurs chrétiens et juifs qui prendront beaucoup plus tard, au XIVe siècle, une attitude critique devant la physique d'Aristote, préparant ainsi la révolution scientifique et philosophique du XVIe–XVIIe siècle en Europe.

Ce philosophe, Hibat Allâh Abû l-Barakât, Awḥad al-Zamân, de Bagdad, a fait l'objet de plusieurs travaux très remarquables de M. Salomon Pines;[1] il est regrettable que ce savant n'ait pas encore trouvé le loisir d'écrire sur Abû l-Barakât la grande étude d'ensemble qu'il est sans doute le seul à être en mesure de composer, ni de s'occuper de l'édition et de la présentation du commentaire arabe du même sur l'Ecclésiaste, unique vestige de la période juive de sa carrière.[1a]

L'autre, Nathanael Ibn Fayyûmî (il écrivait vers 1160), est un personnage secondaire, mais non sans intérêt, car il semble bien être l'un des premiers auteurs juifs yéménites qui ont fait oeuvre de théologiens en Arabie du Sud; il s'inspirait du néoplatonisme des auteurs musulmans

* Voir *HUCA* 43 (1972), pp. 125–147.

1 "Etudes sur Awḥad al-Zamân Abu 'l-Barakât al-Baghdâdî", *REJ* 103 (1938), pp. 4–64; 104 (1938), pp. 1–33; *Nouvelles Etudes sur*... (Mémoires de la Société des Etudes Juives, 1, Paris, 1955); "La conception de la conscience de soi chez Avicenne et chez Abu l-Barakât al-Baghdâdî", *AHDLMA* (1954), pp. 21–98; "Abul-Barakât's Poetics and Metaphysics", *Scripta Hierosolymitana* 5 (1960), pp. 120–198.

1a Du moins en a-t-il publié quelques extraits dans son article "Leḥêqer pêrûshô shel Abûl -Barakât al-Baghdâdî le-séfer Qôhelet" (Four extracts from Abu l-Barakat al Baghdadi's Commentary on Ecclesiastes) *Tarbiz* 33 (1963/4), pp. 198–213.

ismaéliens, alors que par la suite ce courant d'idées sera combiné avec la doctrine de Moïse Maïmonide. Son *Bustân al-'uqûl*, édité jadis d'une manière un peu sommaire, a été republié avec une traduction hébraïque par Yôsêf Qâfiḥ;[2] quelques années plus tôt, S. Pines avait apporté des précisions sur la nature d'une de ses sources d'inspiration.[3]

Si les affinités néoplatoniciennes du petit traité judéo-arabe *Kitâb Ma'ânî al-nafs* (titre que l'on pourrait rendre très approximativement par "De la nature de l'âme") ne sont point contestables, le problème de sa provenance n'est toujours pas élucidé. Dans une étude récente,[4] fort suggestive, mais sans doute non encore définitive, M. Martin Plessner croit découvrir des similitudes entre cet opuscule, qui ne relève exactement ni de la *falsafa* ni du *kalâm*, et les matériaux néoplatonisants à tendance mystique que nous offrent les ouvrages d'Abraham bar Ḥiyya et le commentaire de Judah ben Barzilay sur le "Livre de la Création"; il conclut de là à la provenance occidentale (Espagne musulmane) du traité, contrairement à l'opinion prévalente jusqu'à présent qui lui assignait une origine orientale.

L'aristotélisme avicennisant[5] sous les traits duquel la "philosophie" par excellence apparaissait à Juda Halévi, devait connaître son premier représentant de quelque notoriété dans la pensée juive d'Espagne en la personne d'Abraham Ibn Dâwûd de Tolède (mort en 1180).

Si la conception générale de l'histoire du judaïsme, "l'historiosophie", si l'on veut, professée par cet auteur, historien et théologien, a été naguère l'objet d'un examen poussé, très suggestif, encore que condamné

2 *Séfer Bustān al-'uqūl. Gan ha-sekhâlîm*, Jérusalem, 1954.

3 "Nathanaël b. al-Fayyumi et la théologie ismaélienne", *Revue de l'Histoire Juive en Egypte* I [fasicule unique] (1947), pp. 5–22. — Sur "Un opuscule ismaélien en transmission judéo-arabe", voir notre note portant ce titre dans *Journal Asiatique* (1958), pp. 459–466. Par la suite, nous nous sommes aperçu que ce texte intitulé *Risâlat al-Jawharayn* dans la copie judéo-yéménite qui nous l'a conservé, était le septième opuscule du premier volume dans le *Majmû' al-tarbiya* de l'imâm ismaélien yéménite Muḥammad Ibn Ṭahir b. Ibrâhîm al-Ḥârithî, mort en 584/1188, cf. W. Ivanow, *Ismaili Literature* (Téhéran 1963), n° 205, 7, p. 55.

4 "Das sogenannte 'Buch vom Wesen der Seele' und seine Stellung in der mittelalterlichen Geistesgeschichte", *Nachrichten ... Goettingen*, Ph.-Hist. Kl., 1971, 5; "Kawwânâtô shel *Kitâb ma'ânî al-nafs* ha-meyuḥas le-R. Baḥyé Ibn Paqûdâh u-meqômô be-tôldôt ha-maḥashâbâh ha-yehûdît," *KS* 48(1972–73), pp. 491–498.

5 Nous ne possédons toujours pas une étude complète et tant soit peu approfondie sur l'aristotélisme juif du Moyen-Age, avec ses trois sous-espèces: aristotélisme avicennisant, Aristote interprété à travers al-Fârâbî plus qu'à travers Ibn Sînâ (ce fut le cas, dans une large mesure, de Moïse Maïmonide), Aristote compris à travers les commentaires d'Ibn Roshd (Averrès). L'esquisse cursive de G. Vajda, "Aristote devant la pensée juive du Moyen-Age", *Actes du Congrès de l'Association Guillaume Budé* (Lyon, 8–13 septembre 1958), pp. 197–204,

par sa nature même à demeurer hypothétique dans ses conclusions,[6] l'étude de son oeuvre théologique "La foi sublime" *(al-'Aqîda al-rafî'a, ha-'Emûnâh ha-râmâh),* n'a pas connu cette fortune: nous ne disposons toujours pas d'une édition correcte ni d'une version acceptable de ce traité en hébreu moderne ou dans un idiome occidental,[7] pas plus que d'un travail d'ensemble embrassant tous les aspects de la pensée de son auteur après l'analyse presque centenaire de Jacob Gutmann.[8]

L'erreur tenace quant à l'identité du "disciple" auquel Moïse Maïmonide dédia son "Guide" a longtemps porté une certaine confusion dans l'étude de la personnalité et de l'oeuvre de Joseph b. Judah Ibn 'Aqnîn.

suffit à peine pour une première prise de contact avec la question. Il faut cependant rappeler ici deux chapitres (V et VI) de l'ouvrage cité de C. Sirat (*Les théories des visions surnaturelles* . . . , pp. 126–191), ainsi que l'article, malheureusement trop bref, de Julius Guttmann, "Zur Kritik der Offenbarungsreligion in der islamischen und juedischen Philosophie" *MGWJ* 78 (1934), pp. 456–464. Nous aurons l'occasion de référer, dans la suite de cet exposé, à d'autres travaux partiels concernant le sujet.

6 Gerson D. Cohen, *A Critical Edition with a Translation and Notes of the Book of Tradition (Sefer Ha-Qabbalah) by Abraham Ibn Daud* (Philadelphia, 1967); cf. les recensions de Gérard Nahon, *REJ* 128 (1969), pp. 282–285, et de G. Vajda *RHR* (octobre–décembre 1969), pp. 192–195. — Les relations supposées d'Abraham Ibn Dâwûd avec l'environnement chrétien demeurent enveloppées d'une certaine obscurité, en dépit des savants travaux qui cherchent à les éclaircir; on verra surtout à ce sujet: Manuel Alonso, "Las fuentes literarias de Domingo Gundisalvo y el K. al-'Aqīda al-Rafī'a de Ibrāhīm ibn Dāwūd", *Al-Andalus* (1946), pp. 159–173 (Gondissalinus disciple d'Abraham Ibn Dâwûd qui lui aurait suggéré les objections soulevées contre Avicebron dans le susdit traité latin); Marie-Thérèse d'Alverny, "Avendauth", *Homenaje a Millàs* I (Barcelone, 1954), pp. 19–43 (A. collaborateur juif des traducteurs chrétiens de Tolède identique à Abraham Ibn Dâwûd); cf. aussi Richard Lemay, *Abu Ma'shar and Latin Aristotelism in the Twelfth Century* (Beyrouth, 1962), pp. 9–15, où l'on trouvera d'autres indications bibliographiques.

7 L'édition annoncée de la seconde version hébraïque (qui porte le titre de *ha-'Emūnāh ha-nissā'āh*), par Y. Alon (cf. C. Sirat, *ouvrage cité,* p. 126, n. 2) n'a pas encore vu le jour.

8 Outre les pages (126–136) consacrées à Abraham Ibn Dâwûd par C. Sirat, dont les traductions ne sont pas toujours sûres, nous ne pouvons signaler que l'article de F. S. Bodenheimer, "The Biology of Abraham b. David Halevi of Toledo", *Archives Internationales d'Histoire des Sciences* 4 (1951), pp. 39–62, et l'analyse, correcte, certes teintée de marxisme, de la "Foi Sublime", par M. Heinrich Simon, qui professe l'hébreu à l'Université de Berlin-Est: "Abraham Ibn Daud und der Beginn des Aristotelismus in der jüdischen Philosophie", *Mitteilungen des Instituts fuer Orientforschung,* 17 (1971), pp. 14–36: les travaux postérieurs à Julius Guttmann y sont complètement ignorés; il convient aussi de faire remarquer que contrairement à l'affirmation de H. Simon, Moïse Maïmonide n'a pas connu le traité d'Abraham Ibn Dâwûd. — L'ouvrage de M. Arfa, Abraham Ibn Daud (1954), signalé par J. Maier, *op. laud,* p. 280, ne nous a pas été accessible.

La question est aujourd'hui réglée: après l'enquête définitive de M. David Zevi Baneth,[9] rien ne permet de douter qu'il faut distinguer deux penseurs: Joseph b. Judah b. Simon, originaire d'Occident et émigré en Orient, fixé en dernier lieu en Syrie, mais qui fut pendant quelque temps disciple de Maïmonide au Caire,[10] et Joseph b. Judah Ibn 'Aqnîn, originaire de la Péninsule ibérique, mais demeuré au Maghreb où il avait connu le futur auteur du "Guide".

Les recherches concernant Ibn 'Aqnîn ont grandement progressé grâce aux travaux d'A. S. Halkin à qui nous devons, outre une caractéristique générale de cet auteur qui se plaçait encore dans le sillage du néoplatonisme arabe vulgarisé,[11] un inventaire précis de son équipement intellectuel emprunté à la littérature arabe,[12] et surtout une édition scientifique, malgré les réserves de détail qu'on peut lui faire, de son commentaire judéo-arabe sur le *Cantique des Cantiques.*[13]

Les travaux sur Moïse Maïmonide ont été très nombreux pendant la période considérée dans ces pages; même un choix assez exigeant se doit d'en retenir un respectable pourcentage. Avec l'arbitraire inévitable en pareille matière, nous essaierons d'articuler notre aperçu, après de très sommaires indications d'ordre bibliographique et historique, selon les principaux thèmes philosophiques et théologiques traités par Maïmonide dans ses oeuvres dont nous relèverons, au passage, les éditions et les traductions les plus récentes; nous évoquerons cependant, au préalable, les études concernant l'orientation générale de la pensée maïmonidienne, problème qu'on ne saurait séparer de celui du plan du "Guide des Egarés".

Au cours de ses travaux bibliographiques, d'une très grande utilité,

9 "Yôsêf Ibn Shim'ôn ha-talmîd he-ḥâshûb shel ha-RMBM we-Yôsêf Ibn 'Aqnîn", *Tesoro de los Judios Sefardies* 7 (1964), pp. 11–20.

10 C'est à cet auteur-ci qu'il convient d'attribuer l'opuscule sur l'Etre nécessaire (éd. J. L. Magnes, Berlin 1907); D. Z. Baneth a apporté une contribution essentielle à l'interprétation de ce texte: "He'ârôt filôlôgiyôt leḥibbûrô shel R. Yôsêf b. Yehûdâh Ibn Shim'ôn" (Philological Observations on Joseph ben Judah Ibn Shim'on's Metaphysical Treatise), *Tarbiz* 27 (1957–8), pp. 234–248.

11 "Li-demûtô shel R. Yôsêf b. Yehûdâh Ibn 'Aqnîn", *H. A. Wolfson Jubilee Volume* III, pp. 93–111.

12 "Classical and Arabic Material in Ibn 'Aḳnîn's Hygiene of the Soul", *PAAJR* 14(1944), pp. 27–167.

13 "Ibn Aknîn's Commentary on the Song of Songs", *Alexander Marx Jubilee Volume,* English Section (New York, 1950), pp. 389–424; *Joseph . . . Ibn Aknîn Divulgatio Mysteriorum* (Jerusalem, Mekizey Nirdamim, 1964); *cf.* G. Vajda, "En marge du commentaire sur le Cantique des Cantiques de Joseph Ibn 'Aqnîn", *REJ* 124 (1965) pp. 185–199. L'appartenance des textes signalés par Boaz Cohen, *REJ* 100 bis (1936), pp. 52–61 n'est pas claire; ils sembleraient plutôt relever de l'héritage littéraire de Joseph b. Judah ben Simon.

M. Israël Jacob Dienstag s'est à plusieurs reprises intéressé à l'oeuvre de Moïse Maïmonide.[14]

L'année jubilaire 1935 (doublée par celle de 1941) a vu paraître outre plus d'un volume collectif, deux biographies de Maïmonide;[15] elles ne sont certes pas les meilleurs ouvrages sortis de la plume de leurs auteurs respectifs, le premier livre étant plus vivant que le second.[16]

Le lecteur à la recherche de documentation variée sur les aspects multiples de l'oeuvre maïmonidienne aura toujours à se reporter à l'ouvrage monumental de S. W. Baron; l'index des huit premiers volumes l'aidera à repérer le renseignement dont il pourrait avoir besoin.[17]

On trouvera des aperçus, à la vérité très cursifs et déjà périmés, sur l'état des études maïmonidiennes vers 1965 dans le "prolegomenon" de Marvin Fox, mis en tête de réimpression, qui ne s'imposait pas d'un point de vue scientifique, d'un livre de vulgarisation d'Abraham Cohen,[18] et d'autre part, dans le texte publié des conférences prononcées cette année-là par l'auteur de ces lignes.[19] Dans ces leçons, nous avons insisté quelque peu, sans prétendre apporter une solution satisfaisante, sur le

14 "Maftéaḥ ha-RMBM. Reshîmâh miqṣô'ît alfâ-bêtît méha-sifrût 'al-RMBM we-mishnâtô", *Studies in Bibliography and Booklore* 5 (1961), partie hébraïque, pp. 12–29; *'En ha-Miziwot, Bio-Bibliographic Lexicon to the Scholarship Pertaining to the Sefer Ha-Mizwot of Moses Maimonides* (en hébreu), [extrait de *Talpiyoth* 9, 3–4 (1968–70)]; "Biblical Exegesis of Maimonides in Jewish Scholarship", *Samuel K. Mirsky Memorial Volume* (New York, 1970), pp. 151–190; *"Mishneh Tôrâh* lehâ-RMBM, bibliogrâfiyâh shel hôṣâôt", *Studies in Jewish Bibliography, History and Literature in Honor of J. Edward Kiev* (New York, 1971), partie hébraïque, pp. 21–108; *"Séfer ha-Miṣwôt* lehâ-RMBM, bibliogrâfiyâh shel hôṣâ'ôt, targûmîm, bê'ûrîm", *Areshet* 5 (1972), pp. 33–80. Au même savant est due la mise à jour bibliographique dans la réimpression récente (New York, 1973) du vieil ouvrage de David Yellin et Israel Abrahams, *Maimonides. His Life and Works.*

15 Abraham Heschel, *Maimonides. Eine Biographie* (Berlin 1935), (traduction française: *Maïmonide*, Paris, 1936); Solomon Zeitlin, *Maimonides, A Biography* (New York, 1935). A propos des dates de naissance et de décès de Moïse Maïmonide voir l'excursus de K. Kahana dans son édition du *Sefer ha-Zikkârôn* de Yômṭôb b. Abraham de Séville (Jérusalem, 1956), pp. 71–75.

16 Sur un point particulier, qui n'aurait guère d'importance si une erreur le concernant n'avait pas fourni matière à des déclamations d'apologistes bien intentionnés, mais trop enclins à parler de ce qu'ils ignorent, M. Bernard Lewis a apporté une clarté définitive: Maïmonide n'a jamais été le médecin personnel de Saladin; voir son article: "Maimonides, Lionheart and Saladin", *Eretz-Israel* 7(1963), pp. 70*–75*.

17 *A Social and Religious History of the Jews. Index to Volumes I–VIII*, New York, 1960, *s.v.* Moses b. Maimon, pp. 100–101.

18 *The Teachings of Maimonides* (1927), réimpression, avec introduction par Marvin Fox (New York 1968).

19 "La pensée religieuse de Maïmonide, unité ou dualité", *Cahiers de Civilisation Médiévale* 9(1966), pp. 29–49.

problème très délicat que continue à poser l'attitude fondamentale de Maïmonide quant à la convergence concevable ou la divergence irréductible de la foi, adhésion à une vérité révélée, et de la recherche autonome de la vérité "rationnelle" que l'homme peut et doit mener par ses propres moyens. En effet, si difficile qu'il soit de poser le problème en des termes qui ne sonnent pas creux aux oreilles de l'homme de notre temps, sans plaquer pour autant nos incertitudes actuelles sur l'univers physique et mental de l'homme du moyen âge, on ne peut ne pas relever dans la pensée de Moïse Maïmonide une dualité, réelle ou apparente, qui n'a pas laissé de mettre dans l'embarras ses lecteurs attentifs, depuis la première diffusion de ses ouvrages jusqu'à nos jours.

Il n'est pas nécessaire de remettre en mémoire ici ses vitupérateurs et ses défenseurs, du XIXe et du XXe siècle au sujet desquels on se reportera avec profit à un savant mémoire de M. Judah Rosenthal.[20] En revanche, il importe de rappeler les études dans lesquelles M. Leo Strauss met l'accent sur l'aspect "politique" de la pensée théologique de Maïmonide;[21] dans son esprit, la Tora est regardée par l'auteur du "Guide" comme une législation révélée dont une des finalités serait de régenter le vulgaire incapable de connaissance philosophique, alors qu'elle donnerait, sous le manteau de l'allégorie, à l'élite intellectuelle de la nation juive les directives nécessaires à l'exercice des vertus dianoétiques. Cette conception générale de la doctrine maïmonidienne va logiquement de pair avec une mise en question plus ou moins nettement explicitée de la sincérité de Maïmonide quant à sa doctrine déclarée sur l'origine de l'univers et les fins dernières.

Pour l'essentiel, mais avec plus de nuances et armé d'une meilleure connaissance de première main de la philosophie chez les Musulmans, M. S. Pines partage, semble-t-il, ces vues,[22] alors que M. E. Schweid, qui repense Maïmonide en philosophe métaphysicien plus qu'en philologue ou comme spécialiste de philosophie politique, porte sur les affinités proprement judaïques de Maïmonide un jugement beaucoup plus positif que ses devanciers.[23]

20 "Ha-wikkuaḥ ha-anṭi-maymûnî be'ispaqlaryâh shel ha-dôrôt" (The Anti-Maimonides Controversy in the light of History), dans *Meḥqârîm u-meqôrôt*, I (Jérusalem, 1967), pp. 126–202 (en particulier, pp. 177 *sqq.*).

21 Déjà dans son ouvrage *Religion und Gesetz* (cf. premier article, n. 2); voir ausssi, parmi ses travaux ultérieurs, "Quelques remarques sur la science politique de Maïmonide et de Fârâbî", *REJ* 100 *bis*, 1936, pp. 1–37, et le chapitre 3 ("The Literary Character of the *Guide for the Perplexed*"); de *Persecution and the Art of Writing* (Glencoe, 1952). pp. 38–94 (d'abord dans *Essays on Maimonides* (New York, 1941), pp. 37–91).

22 "Quelques réflexions sur Maîmonide", dans *Le Livre de la Connaissance* (voir ci-après), pp. 1–19 (texte daté de 1959).

23 Voir notamment les deux études consacrées à Maïmonide dans son livre

Beaucoup plus radical, mais aussi excessif dans ses jugements est l'auteur d'un petit ouvrage assez provocant dans lequel il prétend mettre à nu "le mystère du Guide des Egarés": il s'agirait d'une "double foi", l'une "contraignante", à l'usage des masses, l'autre, qualifiée de "véritable" et destinée à l'élite, ne serait que la philosophie péripatético-néoplatonicienne adoptée en bloc par Maïmonide.[24]

Ecarter une solution aussi simpliste du "mystère du *Guide des Egarés*" ne signifie pas nier le problème, d'autant plus que Maïmonide lui-même avertit son lecteur du caractère en quelque manière ésotérique et apparemment contradictoire de son livre. Rien n'illustre mieux le sérieux de cet avertissement que l'impénétrabilité patente du plan du *Guide* et l'échec de toutes les tentatives faites pour éclaircir dans le détail la structure de ce traité.[25]

Avant de faire le tour des recherches portant sur les grands thèmes de la doctrine maïmonidienne, jetons un coup d'oeil sur les progrès faits dans l'édition et la traduction des oeuvres du Maître.

Une heureuse découverte due à une érudite turque, Mme Mubahat Türker-Küyel, nous a restitué le texte arabe intégral du petit "Précis de Logique" *(Maqâla fî ṣinâ'at al-manṭiq, Millôt ha-higgâyôn)* et permis à M. Israël Efros, qui avait déjà donné une bonne édition critique des fragments arabes depuis longtemps connus et des traductions hébraïques du texte, de publier une recension, qui paraît définitive, de celui-ci.[26]

Ṭa'am we-haqqâshâh (Feeling and Speculation) (Ramat Gan, 1970), pp. 80–148; il est également instructif de comparer les cours d'histoire de philosophie juive professés respectivement par Pines et Schweid en 1964/5 et en 1970/71 (l'un et l'autre polycopiés, Jérusalem, Akademon, 1965 et 1971).

24 Jacob Becker, *Sôdô shel Môreh Nebûkhîm* (Tel-Aviv, 1956); cf. les comptes rendus, négatifs, de Jacob Levinger (sous le titre de *Sôdô shel ḥiddûsh maqsîm*), *Beḥînôt* 11 (1956/57), pp. 80–86, et de G. Vajda, *REJ* 116 (1957), pp. 108–110.

25 Nous pensons ici aux études, d'ailleurs remarquables dans leur genre, de S. Rawidowicz "She'êlat mivnêhû shel Môreh Nebûkhîm", *Tarbiz* 6 (1935, pp. 285–333, reproduit dans *Iyyunim bemaḥashevet Yisrael* I), pp. 237–296, et de L. Strauss dans son essai préliminaire à la nouvelle traduction anglaise du *Guide* (voir *infra*), pp. XI–LVI, "How to Begin to Study the Guide of the Perplexed".

26 "Maimonides' Arabic Treatise on Logic", *PAAJR* 34 (1966), pp. 155–160 et partie en caractères hébraïques ט—מב (cf. "Maimonides' Treatise on Logic: The New Arabic Text and its Light on the Hebrew Versions", *JQR*, n.s. 53 (1962/3), pp. 269–274). Le texte en caractères arabes découvert par Mme Türker avait été publié par elle dans deux périodiques de son pays, entre 1959 et 1961. A mentionner ici le bref article de Lawrence V. Berman, "Some Remarks on the Arabic Text of Maimonides' Treatise on the Art of Logic", *JAOS* 88 (1968), pp. 340–342. L'édition antérieure d'Efros ("Maimonides' Treatise on Logic", *PAAJR* 8 (1937/8), pp. 3–65 et partie hébraïque, pp. 1–136) était supérieure à

Nous n'évoquerons que d'un mot les éditions de textes à contenu surtout halachique, mais dont certaines parties, ainsi que des notations éparses répandues un peu partout sont précieuses pour l'histoire doctrinale: le Commentaire sur la Mishna et le "Livre des Préceptes", publiés intégralement en arabe et traduits en hébreu intelligible au lecteur contemporain, par Rabbi Yôsêf Qâfiḥ;[27] la reproduction de l'édition de Constantinople 1509 du "Code" (1re partie, *Séfer ha-maddâʿ*), avec apparat critique et notes, entreprise et dirigée par M. Saül Lieberman;[28] l'édition critique des "Consultations"[29] dans laquelle les textes arabes sont également rendus en hébreu.

De grands progrès sont à enregistrer également pour ce qui est de la publication scientifique des "Epîtres" et des traités mineurs de Maïmonide. L'édition critique des "Epîtres" commencée par D. Z. Baneth en est restée malheureusement à son premier fascicule;[30] en revanche, nous pouvons lire dans un texte sûr "l'Epître au Yémen"[31] et le "Traité sur la Résurrection",[32] ainsi qu'un chapitre significatif au point de vue

celle, d'ailleurs estimable, procurée par Moïse Ventura, *Maimonide. Makala fi sanaʿat al-mantik* מלות ההגיון (Terminologie logique) (Paris, 1935), laquelle a donnée lieu à l'étude très importante de D. Z. Baneth, "Leṭerminologiya ha-filosôfît shel ha-RMBM", *Tarbiz* 6 (1935), pp. 10–10.

27 Le dernier volume du Commentaire est paru en 1968 (Jérusalem, Mossad Harav Kook); *Sefer Hamitzwot . . . Arabic Original and Hebrew Translation*, ibid., 1971.

28 Edition signalée par I. J. Dienstag, *Mishneh Tôrâh* . . . n° 56, *supra*, n. 14.

29 *Teshûbôt ha-RMBM — R. Moses b. Maimon Responsa* (. . .) collegit (. . .) Jehoshua Blau, 3 volumes (Jérusalem, 1957–1961).

30 *Iggerôt ha-RMBM — Mose Ben Maimon Epistulae*, ed. D. H. Baneth. Fasc. 1 (Jérusalem, 1946).

31 *Iggeret Têmàn — Moses Maimonides' Epistle to Yemen* . . . Edited by Abraham S. Halkin (. . .) English Translation by Boaz Cohen (New York, 1952).

32 *Maqâla fî Teḥiyyat ha-mêtîm — Ma'amar Teḥiyyat ha-mêtîm Maimonides' Treatise on Resurrection* (. . .) Edited (. . .) by Joshua Finkel, *PAAJR* 9 (1939, pp. 57–105 de la partie anglaise; textes judéo-arabe et hébreu 38 doubles pages + pp. 39–42); cf. l'étude de l'éditeur "Maimonides' treatise on Resurrection. A Comparative Study", *Essays on Maimonides* (New York, 1941), pp. 93–121. D. Z. Baneth a publié des notes critiques sur l'édition de Finkel: "Le-nusaḥ ma'amar Teḥiyyat ha-mêtîm", *Tarbiz* 13 (1942/43), pp. 37–42, après avoir discuté deux ou trois ans plus tôt le problème très embrouillé des versions hébraïques de l'original arabe: "R. Yehudâh Alḥarîzi u-shelôshet ha-targumîm shel Ma'amar Teḥiyyat ha-mêtîm le-RMBM", *Tarbiz* 11 (1940/41), pp. 260–270. Les hypothèses un peu téméraires émises à ce sujet par J. L. Teicher, "Ziyyûf sifrûtî be-mê'âh ha-shelôsh 'esrêh, *Ma'amar Teḥiyyat ha-mêtîm* shel ha-RMBB" *Melilah* 1(1944), pp. 81–92 (cf. "Christian Theology and Jewish Opposition to Maimonides", *Journal of Theological Studies* 43 (1942), pp. 68–76) ne semblent guère avoir été retenues.

doctrinal du traité de médecine théorique *Fuṣūl Mûsâ.*[33] L'infatigable R. Yôsêf Qâfiḥ a réuni tous ces matériaux (avec sa version hébraïque) dans un volume unique, dans lequel il a inclus son édition, faite sur nouveaux frais, de l'opuscule en hébreu *Iggeret ha-shemad.*[34]

En plus des traductions modernes, en hébreu ou en langues occidentales, qui accompagnent les textes dont il vient d'être question, plusieurs autres ont vu le jour depuis un tiers de siècle. La plus importante est la version anglaise du *Guide* par S. Pines, avec une introduction très instructive, mais qui ne compense pas la parcimonie dans l'annotation du texte traduit, par le même, ainsi que l'essai déjà mentionné de L. Strauss.[35] La seconde en importance est la version française faite en collaboration par V. Nikiprowetzky et A. Zaoui, du *Séfer ha-maddâ'*,[36] dont l'annotation, pour érudite et suggestive qu'elle soit, n'est pas exactement celle que requérait l'oeuvre d'un auteur médiéval judéo-arabe. On signalera enfin l'édition, avec traduction et notes en allemand d'une consultation de Maïmonide sur la durée fixée par le décret divin à la vie humaine,[37] et la traduction anglaise de l'épître sur l'astrologie.[38] C'est enfin tout récemment que R. Yôsef Qāfiḥ a republié le texte complet du *Guide* en arabe, avec sa propre traduction hébraïque annotée, malheureusement assez discutable.[39]

33 Joseph Schacht et Max Meyerhof, "Maimonides against Galen, on Philosophy and Cosmology" (le chapitre 40 du 25e et dernier "discours" du *Fuṣûl Mûsâ,* introduction et traduction en anglais, texte arabe), *Majallat Kulliyyat al-âdâb . . .* (*Bulletin of the Faculty of Arts of the University of Egypt*), 5 (1937, paru en 1939), pp. 53–88; cf. R. Walzer, *Galen on Jews and Christians* (Oxford, 1949), en particulier pp. 32–37.

34 *Rabbi Moshe Ben Maimon* (*Maimonides*) *Iggerot, Letters, Arabic Original with New Translation and Commentary* (Jérusalem, 1972).

35 *The Guide of the Perplexed. Moses Maimonides.* Translated with an Introduction and Notes by Shlomo Pines with an Introductory Essay by Leo Strauss (Chicago, 1963) (compte rendu par G. Vajda, *REJ* 123 (1964), pp. 209–216). On rappellera aussi l'édition commentée de la version hébraïque de Samuel Ibn Tibbon par Yehudah Even Shmuel (Y. Kaufmann), (Tel-Aviv 1935 et 1938, nous n'en avons vu que les deux premiers volumes) et la présentation fort utile due à Léon Roth, *The Guide for the Perplexed, Moses Maimonides* (Londres, 1948), ainsi que les morceaux choisis, avec introduction et notes, publiés par Yôsêf Ben-Shlomo, Sifriyat "Dôrôt", 13 (Jérusalem, 1968).

36 *Maïmonide. Le Livre de la Connaissance,* traduit de l'hébreu et annoté, Paris, 1961.

37 Gotthold Weil, *Maimonides, Ueber die Lebensdauer* (Bâle-New York, 1953).

38 Dans Ralph Lerner and Muhsin Mahdi, *Medieval Political Philosophy, a* Sourcebook (New York, 1963), pp. 227–236; *cf. R. Lerner "Maimonides' Letter* on Astrology", *History of Religions* 8 (1968), pp. 143–158.

39 *Moreh ha-Nebûkhîm — Dalâlat al-ḥâ'irîn,* 3 volumes (Jérusalem, 1972). — L'ouvrage de A. David, Moses Maimonides, *The Commentary to Mishnat Aboth* (New York, 1968), est insignifiant.

Présenter selon des thèmes les études de fond concernant la doctrine de Maïmonide (comme de tout autre penseur) comporte inévitablement une part de systématisation arbitraire et se révèle ainsi finalement assez décevant; ce procédé d'exposition a cependant pour lui de mettre un certain ordre dans une masse qui risque autrement de se transformer en un inextricable fouillis. Résignons-nous donc à diviser, sans trop d'illusion, notre aperçu en quelques rubriques dont voici l'énoncé: Dieu et ses attributs; Dieu et le monde (nécessité et contingence, éternité ou création; le prophétisme; providence de miracle); doctrine politique; motivation des préceptes; éthique; idéal humain et fins dernières.

Le problème des attributs divins qui a tant occupé les premiers historiens de la pensée juive du moyen âge, après avoir été l'un des thèmes centraux dans les cogitations des penseurs médiévaux eux-mêmes, a été inlassablement repris et scruté par les auteurs du dernier tiers de siècle, avec des résultats di'mportance inégale.

Nous nous contenterons d'un simple rappel des essais non dépourvus d'intérêt, mais discutables de Yehudah Even Shemuel[40] et de Jacob Teicher.[41] Les articles de H. H. Wolfson portant sur ce sujet (qui l'avait occupé dès 1916) le traitent surtout à la lumière de la logique péripatéticienne, et c'est sous ce rapport qu'ils sont le plus précieux; en revanche, les reconstructions proposées pour les filiations historiques laissent, comme souvent dans l'oeuvre de ce grand savant, une part trop grande à la combinaison plus ingénieuse que convaincante des données mises en oeuvre.[42] La conclusion à laquelle M. Wolfson aboutit dans son étude sans doute la plus importante consacrée au problème n'a

40 Voir la dissertation préliminaire *Letôrat ha-tô'arîm beshiṭṭâtô shel ha-RMBM*, dans son édition indiquée ci-dessus, n. 35, vol. I, 2e partie (Jérusalem, 1938), pp. IX–XXXIX.

41 "Observations critiques sur l'interprétation traditionnelle de la doctrine des attributs négatifs chez Maïmonide", *REJ* 99 (1935), pp. 56–67. Critique de Julius Guttmann "Tôrat ha-'elôhîm shel ha-RMBM," dans *Dat Wemaddā'* (Jérusalem, 1956), en particulier p. 111, n. 7. On peut noter aussi Mikolaj Springer. *Die Attributenlehre des Moses Maimonides, beleuchtet vom Standpunkt der modernen Logik* (thèse de Zurich), (New York, 1942).

42 Voici les principales références: "The Aristotelian Predicables and Maimonides' Division of Attributes", *Essays and Studies in Memory of Linda R. Miller* (New York, 1938), pp. 201–234; "Maimonides on Negative Attributes", *Louis Ginzberg Jubilee Volume* (New York, 1945), English Section, pp. 411–446; "Maimonides and Gersonides on Divine Attributes as Ambiguous Terms", *Mordecai M. Kaplan Jubilee Volume* (New York, 1953), pp. 515–530 (cf. l'étude antérieure, "The Amphibolous Terms in Aristotle, Arabic Philosophy and Maimonides", *HTR* 31 (1938), pp. 151–173); "Maimonides on the Unity and Incorporeality of God", *JQR*, n.s. 56 (1965/6), pp. 112–136; "Maimonides on Modes and Universals", *Studies in Rationalism, Judaism and Universalism in Memory of Leon Roth* (Londres, 1966), pp. 311–321.

d'ailleurs en elle-même rien de particulièrement neuf ou révolutionnaire: bien que comprises comme négations de leurs contraires, les affirmations énoncées sur Dieu demeurent néanmoins utiles, en tant qu'elles reviennent à dire ceci: rien de ce qui est habituellement considéré par nous comme une perfection n'est étranger à la nature de Dieu; ces perfections sont cependant identiques, non surajoutées à l'essence divine.[43]

Dans son livre déjà plusieurs fois cité, E. Schweid reprend sur nouveaux frais l'analyse des chapitres du *Guide* qui portent sur les attributs.[44] Faute de pouvoir suivre pas à pas cette étude d'une remarquable densité, relevons-en quelques passages particulièrement significatifs: "Les attributs d'action qualifient Dieu sous le rapport de la multiplicité des récepteurs des actions et non pas l'auteur de celles-ci; (autrement dit) les attributs d'action qualifient les relations variables dans la pensée humaine ayant Dieu pour objet, sous le rapport de la multiplicité dans cette pensée et non sous celui de l'essence que cette pensée cherche à appréhender" (p. 115).

"La fonction de la qualification (de Dieu) par des attributs négatifs est d'affranchir ("purifier") l'intelligible de sa dépendance à l'égard de l'organe corporel à l'aide duquel il a été appréhendé. Il s'agit là d'une démarche qui tend à orienter l'intellect divin, lequel, en s'épanchant, pénètre l'être tout entier à tous les niveaux et sous tous les aspects. Lorsque l'intellect humain est orienté comme il convient, l'essence divine y transparaît, et la netteté de sa transparence est à la mesure de l'élimination ("purification") de la corporéité et du degré atteint par l'homme dans son activité intellective" (p. 133).

L'aporie de la procession nécessaire de l'univers à partir de la pensée de l'Etre Premier et de l'efficacité, postulée par la foi religieuse, de la volonté divine se résoud, à suivre l'interprétation proposée par M. Schweid de la doctrine de Maïmonide, si l'on considère que Dieu est intelligence en tant que source de formes, d'où procession nécessaire de celles-ci du fait que la Pensée suprême se pense elle-même, mais qu'Il est également volonté, sans mobiles extérieurs à Lui, en tant que cause de la matière. Par conséquent, les substances en notre mondre sont à la fois nécessairement dérivées de l'intellect divin et effets de l'action libre de la volonté du "Créateur", sans qu'il y ait contradiction entre les deux processus.[45]

43 "Maimonides on Negative Attributes", *art. cité*, p. 443.

44 *Ṭa'am wehaqqâshâh*, pp. 105-148: "L'appréhension de Dieu par la pensée (la marche des idées dans les chapitres du *Guide des Egarés* de Maïmonide concernant les attributs)".

45 Schweid, *op. laud.*, p. 146. — Sur les notions de sagesse et de volonté chez Maïmonide, voir aussi l'article d'Abraham Nuriel: "Ha-râṣôn ha-'elôhî be-Môreh Nebûkhîm" (The Divine Will in *Moreh Nebukhim*), *Tarbiz* 39 (1969/70), pp. 39–51 (*mashî'a* designerait la sagesse divine, *irâda* exprimerait la nécessité de nature).

L'aporie de la procession nécessaire ou de la collation volontaire de l'être à partir d'une même cause dont l'unité interne est postulée par le système se ramène en un sens au problème de la distinction de l'essence et de l'existence, distinction qui ne vaut pas pour la Première Cause, alors qu'elle s'impose de quelque manière à tout ce qui procède de celle-ci. Mettant à profit les progrès des études avicenniennes, M. A. Altmann a repris, dès 1953, l'étude de la question.[46] Les analyses approfondies conduites de main de maître par ce savant ne font que souligner davantage la gravité du problème théologique. La réflexion maïmonidienne sur les essences extra-divines aboutit à la conclusion que celles-ci relèvent du domaine du pur nécessaire, mais leur existence procède, au contraire, de la volonté de Dieu, identique à Sa sagesse. Or cette identité, qui est, au plan divin, identité avec l'essence, signifie en dernière analyse que Dieu n'est autre que la nécessité de nature: on peut certes considérer comme deux aspects distincts de l'être extradivin la contingence par soi et la nécessité par autrui, mais, à tout prendre, cette distinction est vide de contenu puisque Dieu ne peut ne pas produire de toute éternité ce qui doit être produit en vertu de sa volonté-sagesse, identique à son essence. La solution proposée par Altmann est que l'existence de l'extradivin est l'effet conjoint de la nécessité et de la volonté, car elle est prise dans un réseau de causalité qui est suspendu à Dieu; en ce sens, l'existence est "adventice", non déterminée par l'essence en tant que telle.

On voit la similitude, en même temps que la différence des solutions proposées respectivement par Altmann et Schweid. Mais ici comme en d'autres cas, Maïmonide a, nous semble-t-il, trop bien caché son jeu pour que nous puissions adopter, avec pleine conviction, l'une ou l'autre, d'autant plus qu'elles ne s'excluent pas mutuellement.

Le problème général de la nécessité et de la contingence dans l'univers se manifeste dans toute sa gravité devant la conscience des adeptes des religions monothéistes lorsqu'il est exposé sous l'angle de celui de l'éternité ou de la non-éternité du monde. La portée religieuse de la "création", que le raisonnement philosophique ne peut plus démontrer ou démentir que l'hypothèse contraire d'"éternité", avait été mise en relief avec force dans le *Guide* (II, 25), et Maïmonide ne se dégage de l'impasse, à en croire le sens obvie de ses textes, qu'à la faveur d'une option de foi, légitime car intervenant dans un domaine où la raison s'avoue impuissante à rendre une sentence motivée.[47] La question con-

46 "Essence and Existence in Maimonides", *Bulletin of the John Rylands Library*, 35 (1953) pp. 294–315 = *Studies in Religious Philosophy and Mysticism*, pp. 108–127.

47 Il convient de rappeler ici quelques travaux qui, n'étaient les limites imposées au présent exposé, auraient mérité plus qu'une simple mention: Julius

tinue cependant à être soulevée (il en a été ainsi depuis les commentateurs médiévaux du *Guide*) si Maïmonide ne professerait pas, malgré les apparences, l'éternité du monde. C'est ce que pense Salomon Pines,[48] et à la même conclusion aboutissent deux études qui semblent bien s'inspirer de son enseignement, tandis qu'un troisième jeune chercheur israélien incline vers l'option contraire.[49]

Nous ne pouvons discuter ici cette question, peut-être insoluble dans les termes trop dépourvus de nuances dans lesquels les auteurs modernes la posent. Nous ferons seulement remarquer, sans prétendre trancher, que par son insistance sur le caractère ésotérique de sa doctrine et ses mises en garde contre l'interprétation de celle-ci d'une manière qui la rapprocherait des croyances professées par le vulgaire, Maïmonide rend très difficile la tâche des défenseurs de son "orthodoxie". Et nous noterons que l'emploi, relativement fréquent dans le *Guide,* du mot "créateur" *(bâri'),* pour désigner Dieu n'a probablement par l'importance que M. Ravitsky semble lui attribuer: le terme est courant dans le même emploi chez les philosophes musulmans comme Ibn Sînâ qui font beaucoup moins mystère que Maïmonide de leur conviction rationnelle dans l'éternité de l'univers.

Guttmann, "Das Problem der Kontingenz in der Philosophie des Maimonides", *MGWJ* 83 (1939) (le volume n'a pu connaître une diffusion restreinte que bien après la chute de l'Allemagne nazie), pp. 406–430, version hébraïque, "Be'âyat miqriyût ha-meṣî'ût befîlôsôfiyat ha-RMBM", *Dat we-maddâ';* pp. 119–135; E. L. Fackenheim, "The Possibility of the Universe in al-Farabi, Ibn Sina and Maimonides", *PAAJR* 16 (1947), pp. 39–70; cf. également Majid Fakhry, "The Antinomy of the Eternity of the World in Averroes, Maimonides and Aquinas", *Le Muséon* 66 (1953), pp. 139–155; noter le bon commentaire de l'exposé du Kalâm dans la première partie du *Guide,* dans un article en arabe du même auteur: "Aqwāl al-mutakallimīn al-'āmma wa naqd al-quiddīs Tūmā lahā" (titre français: "Les opinions des gens du *Kalâm* et la critique de Saint Thomas d'Aquin"), *al-Mašriq* 47 (1953), pp. 151–171; dans cet ordre d'idées on peut encore signaler l'article de H. Blumberg, "Ha-RMBM 'al mussag *al-tajwīz* shel ha-mutakallimûn" (Maimonides on the Kalām Doctrine of Tajwīz), *Tarbiz* 39 (1969/70), pp. 268–276. Réparons enfin ici une omission dans la première partie du présent aperçu: en parlant de Juda Halévi, nous aurions dû citer l'article de H. A. Wolfson, "The Platonic, Aristotelian and Stoic Theories of Creation in Halevi and Maimonides", *Essays in Honour of... J. H. Hertz* (Londres, 1942), pp. 427–442.

48 Cf. par exemple, son introduction à sa traduction anglaise du *Guide, op. laud.*, pp. CXXVIII suiv.

49 J. Glueker, "Ha-be'âyâh ha-modâlît be-fîlôsôfiyâh shel-RMBM", (Modality in Maimonides' Guide to the Perplexed), *Iyyun* 10 (1938/9), pp. 177–191 (sommaire anglais, p. 231 suiv.); Abraham Nuriel, "Ḥiddûsh hâ-ôlâm 'ô qadmûtô 'al pî ha-RMBM" (The Question of a Created or Primordial World in the Philosophy of Maimonides), *Tarbiz* 33 (1963/4), pp. 372–387 (sommaire anglais, p. IV–V); Israel Ravitsky, "Ḥiddûsh 'ô qadmût hâ-'ôlâm betôrat ha-RMBM", (The Question of a Created or Primordial World in the Philosophy of Maimonides), *ibid.,* 35 (1965/6), pp. 333–348 (sommaire anglais, p. III).

Sur la structure ontologique de l'univers intelligible et la "mécanique céleste", Maïmonide n'a pas professé des doctrines qui se détachent avec un particulier relief sur les théories enseignées avec plus ou moins de subtilité et de conviction par les savants contemporains dans l'aire de culture musulmane (on n'oubliera pas que les remises en question opérées par Ibn Rushd ne commenceront à se répercuter sur la pensée juive qu'après la publication du *Guide* et surtout à partir de la disparition des deux grands Cordouans, le philosophe musulman étant mort à Marrakech six ans avant son confrère juif depuis longtemps émigré en Orient). Aussi n'y a-t-il guère eu de travaux importants pendant la période qui nous intéresse concernant les spéculations sur les intelligences separées ou sur le monde céleste dans la pensée de Maïmonide.[50] [Voir *Addenda.*]

Il en est autrement de la problématique des relations entre la divinité et l'homme: le prophétisme, la providence et le miracle, la Loi révélée et la motivation des préceptes, autant de thèmes étroitement liés qui continuent à susciter des recherches documentaires et des analyses doctrinales dont plusieurs méritent d'être retenues.

Il est inutile de rappeler aux lecteurs de cet article les grandes lignes, cent fois exposées, de la prophétologie de Maïmonide, et notamment deux des points saillants de cette théorie: le caractère exceptionnel de la prophétie de Moïse et la possibilité d'un obstacle mis par la volonté divine au développement, de soi inscrit dans une stricte causalité naturelle, de la *psyché* humaine, en direction de la prophétie.

Sur l'un et l'autre point, on peut lire des réflexions suggestives dans un essai de M. Samuel Atlas[51] dans lequel l'auteur cherche à préciser les parts respectives de la causalité naturelle (dans la perspective, faut-il le dire, de la conception générale de la prophétie chez Maïmonide) et de l'intervention de la volonté créatrice de Dieu. L'ambiguïté de la notion maïmonidienne du miracle joue à plein ici: le miracle est inscrit dès le début (et si le monde est sans commencement, de toute éternité) dans le plan préétabli des choses, mais il apparaît aussi comme la suspension, voire l'abrogation d'une légalité qui, par définition, ne devrait pas souffrir exception: que Moïse soit non seulement prophète, mais

50 On peut voir l'article de H. Blumberg: "Ha-sekhâlîm ha-nifrâdîm be-mishnâtô shel ha-RMBM" (The Separate Intelligences in Maimonides' Philosophy), *Tarbiz* 40 (1970/71), pp. 216–225.

Antérieurement, J. E. Heller avait écrit sur la nature et la fonction de l'Intellect Agent selon la doctrine de Maîmonide: "Mâhûtô wetafqîdô shel ha-sêkhel ha-pô'êl lefî tôrat ha-RMBM", *Séfer ha-yôbêl likebhôd S. Q. Mirsky* (New York, 1958), pp. 26–42.

51 "Moses in the Philosophy of Maimonides, Spinoza, and Solomon Maimon", *HUCA* 35 (1954), pp. 369–400, en particulier pp. 369–380.

unique législateur d'autorité divine est un miracle positif qui se greffe sur le processus naturel du parachèvement des virtualités humaines; que Baruch n'atteigne pas à la prophétie, voilà l'effet d'un miracle négatif qui vient rompre ce processus naturel.

Plus récemment, M. Alvin J. Reines a réexaminé le concept maïmonidien de la prophétie de Moïse.[52] Il faut reconnaître à cette étude des qualités solides; son utilité sera grande pour le lecteur qui ne manquera pas d'enrichir substantiellement ses connaissances s'il a le courage de suivre l'auteur dans les détails de ses analyses. Et pourtant, du point de vue de l'avancement de la recherche, le résultat est décevant, échec qu'il ne serait pas équitable de reprocher à M. Reines, car le problème traité est l'un de ceux à propos desquels l'auteur du *Guide* a le plus nettement déclaré sa détermination de ne pas s'expliquer clairement. Après la lecture de ce savant mémoire, les intentions ultimes de Maïmonide demeurent à peu près aussi impénétrables qu'avant: Moïse ne fut pas un prophète comme les autres, mais ce qu'il fut en réalité dans l'esprit de Maïmonide, ce dernier ne nous le révèle pas, et ses commentateurs, anciens et modernes, n'ont jamais pu l'établir avec certitude.[53]

Au dossier de la théorie de la providence Z. Diesendruck avait versé dès 1936 une pièce importante[54] en publiant la lettre adressée par Samuel Ibn Tibbon à Maïmonide au sujet de ce problème, plus une note de Moïse Ibn Tibbon dans laquelle ce dernier traite de la question soulevée par son père; dans la même étude, Diesendruck expose avec pertinence les solutions proposées par plusieurs commentateurs médiévaux du *Guide* (Moïse Ibn Tibbon, Shēmṭōb Ibn Falquéra, Narboni et Elodi) à la contradiction entre les chapitres 17 suiv. et 51 de la Troisième Partie.

Un article de Leonard S. Krawitz[55] essaie de trouver une nouvelle formulation des conclusions dégagées par Maïmonide de son examen

52 "Maimonides' Concept of Mosaic Prophecy", *HUCA* 40–41 (1969/70), pp. 325–361.

53 On peut voir aussi les pages de C. Sirat, *Les théories des visions surnaturelles . . .*, pp. 136–146, et Y. Levinger, "Nebû'at Mosheh Rabbênû be-mishnat ha-RMBM", *Fourth World Congress of Jewish Studies,* vol. II, 1968, pp. 335–339 (sommaire anglais, p. 203). — Sur la question, insoluble, de savoir si pour Maïmonide le problème de la prophétie était encore une question d'actualité, on relira les pages suggestives d'Abraham J. Heschel, "Ha-he'emîn ha-RMBM shezâkâh la-nebû'âh", *Louis Ginzberg Jubilee Volume,* Hebrew Section (New York, 1945), pp. 159–188.

54 "Samuel and Moses Ibn Tibbon on Maimonides' Theory of Providence," *HUCA* 11 (1936), pp. 341–366. Sur une source du *Guide* III, 16–17 (Alexandre d'Aphrodise), Salomon Pines a jeté de nouvelles clartés dans une digression de son étude, "A Tenth-Century Philosophical Correspondence", *PAAJR* 24 (1955), en particulier pp. 125–129.

55 "Maimonides and Job: An Inquiry as to the *Method of the Moreh*", *HUCA* 28 (1967), pp. 149–158.

du livre de Job considéré comme un répertoire des opinions diverses professées au sujet de la providence; la solution serait en bref que Job trouva le vrai bonheur lorsqu'il eut acquis la connaissance de Dieu, seule authentique perfection et possession de l'homme [voir *Addenda*].

La solution de l'aporie: procession nécessaire/mise en existence volontaire, proposée par E. Schweid[56] fournirait également, selon cet auteur,[57] un principe d'explication du miracle selon Maïmonide: la volonté, cause ultime de la matière, opère aussi, en les stipulant dès la "création", les modifications en rupture avec le déroulement nécessaire des choses qui doivent survenir en son sein au cours de l'histoire.

Les servitudes d'une présentation articulée imposent de séparer l'évocation des questions concernant la Loi révélée et la justification de ses préceptes de la problématique générale des communications entre la sphère divine et la sphère humaine: dans la perspective adoptée par le philosophe qui s'affirme en même temps croyant (il n'appartient pas à l'historien de porter des appréciations sur son degré de sincérité), il s'agit du même complexe de problèmes auquel il faut d'ailleurs associer non moins étroitement celui de la morale individuelle. C'est là une vue des choses que M. Leo Strauss a eu l'insigne mérite d'avoir introduite ou plutôt appliquée d'une manière méthodique et avec persévérance, il y a quelque quarante ans, dans les études d'histoire de la philosophie musulmane et juive.[58] Malgré quelques exagérations, les siennes propres ou, comme il arrive d'habitude, de tel disciple trop zélé, elle s'est avérée singulièrement féconde.

On peut tenir aujourd'hui pour acquis que s'inspirant de près d'al-Fârâbî, mais ne renonçant jamais à son esprit critique ni ne cédant sur sa conviction en l'absolue supériorité du judaïsme, Maïmonide a conçu la Loi dite de Moïse comme la réglementation la plus parfaite possible

56 Cf. *supra*, notes 44 et 45.

57 Voir *Ṭa'am wehakkâshâh*, pp. 185–193 (dans l'étude "Ha-petîḥût lamuflâ' kīysōd hâ-'emûnâh", dernier chapitre, pp. 172–206, de l'ouvrage).

58 Cf. les travaux cités plus haut notes 21 et 35, auxquels on ajoutera "Der Ort der Vorsehungslehre nach der Ansicht Maimunis", *MGWJ*, 81 (1937), pp. 93–105, et "Maimonides' Statement on Political Science", *PAAJR* 22 (1953), pp. 115–130. — On trouvera un exposé plus conventionnel chez E. I. Rosenthal, "Maimonides' Conception of State and Society", *Moses Maimonides VIII Century Volume* (1935), pp. 191–206, réimpr. *Studia Semitica* I, pp. 275–288 (notes complémentaires, p. 353).

A propos de la science politique dans le système des sciences esquissé par Maïmonide, voir L. V. Berman, "A Reexemination of Maimonides' Statement on Political Science", *JAOS* 89 (1969), pp. 106–111. La "politique codifiée sous forme de *Halaka* constitue, on le sait, la section finale du *Mishneh Tôrâh;* on en trouvera un aperçu dans l'étude, correcte mais un peu sommaire (c'était un travail de débutant), de Simon Schwarzfuchs, "Les Lois royales de Maïmonide", *REJ* 111 (1951/2), pp. 63–86.

de la vie sociale, donc indispensable à l'implantation définitive des vertus éthiques, l'exercice permanent de celles-ci étant la condition préalable de l'acquisition des vertus dianoétiques (intellectuelles) qui ouvrent seu-
de la vie sociale, donc indispensable à l'implantation définitive des vertus éthiques, l'exercice permanent de celles-ci étant la condition préalable
C'est une question d'interprétation des textes maïmonidiens que de savoir si et dans quelle mesure la pratique des vertus morales seules, autrement dit l'observance intégrale, mais non imprégnée de connaissance philosophique, des préceptes divins, a pour effet de faire participer le simple croyant à la béatitude ainsi conçue; c'est encore un aspect du problème de la "dualité" de l'attitude religieuse de Maïmonide; il n'est que trop évident que le coefficient personnel de chaque chercheur moderne intervient pour une notable part dans la solution qu'il croit devoir proposer.[59]

Les études sur la motivation des préceptes chez Maïmonide[60] nous laissent sur la même impression finale de désarroi devant la trop subtile dissimulation de sa pensée derrière les artifices de composition que, de son propre aveu, il avait mis en oeuvre. Les auteurs de ces travaux dépensent certes beaucoup de savoir et d'ingéniosité, mais s'ils parviennent à saisir et à mettre en lumière tel aspect de la doctrine, l'éclairage projeté demeure toujours partiel: le fond de la pensée se dérobe obstinément à

59 Il serait très instructif de confronter à ce point de vue deux auteurs comme L. V. Berman, qui pousse loin dans le sens du radicalisme les idées de L. Strauss (cf. sa thèse inédite, *Ibn Bâg'a weha-RMBM, pereq betôldôt ha-fîlôsôfiyâh ha-medînît,* avec abrégé en anglais, *Ibn Bājjah and Maimonides. A Chapter in the History of Political Philosophy,* Jérusalem, 1959), et E. Schweid, qui donne beaucoup plus de poids que Strauss et ses sectateurs aux motivations religieuses dans la pensée de Maïmonide; voir notamment dans son *Ṭa'am wehaqqâshâh* le chapitre *Ṣiddûqân ha-ḥinûkhî weha-medînî shel miṣwôt ha-emûnâh lefî mishnat hâ-RMBM* ("La justification pédagogique et politique des préceptes de foi d'après la doctrine de Maïmonide"), pp. 80–104. On doit aussi mentionner dans ce contexte des études comme celles de A. Hyman, "Maimonides' Thirteen Principles", *Jewish Medieval and Renaissance Studies* (1967), pp. 119–144, I. Twersky, "Some Non-Halakic Aspects of the Mishneh Torah", *ibid.*, pp. 95–118, et la conférence du même auteur *S. Mishneh Tôrâh le-RMBM, megamâtô wetafqîdô, dans Dibrey* (Proceedings of) *ha-Aqadêmiyâh ha-le'ûmît ha-yisrae'êlit lamaddâ'îm,* V, 1 (Jérusalem 1972), Jacob Levinger, "'Al-tôrâh sheb'al-peh behâgûtô shel hâ-RMBM", *Tarbiz* 37 (1967/8), pp. 282–293.

60 Jonah Ben Sasson, "Le ḥêqer ṭa'amey ha-miṣwôt be-*Môreh Nebûkhîm*" (A Study of the Doctrine of *Ta'ame Ha-Mizwot* in Maimonides' Guide), *Tarbiz* 29 (1959/60), pp. 268–281; José Faur, "Meqôr ḥiyyûbân shel ha-miṣwôt leda'at hâ-RMBM" (The Basis for the Authority of the Divine Commandments According to Maimonides), *Tarbiz* 38 (1968/9), pp. 43–53; Amos Funkenstein, "Gesetz und Geschichte: Zur historisierenden Hermeneutik bei Moses Maimonides und Thomas von Aquin", *Viator* 1 (1970), pp. 147–178. — Pour les travaux de Heinemann, cf. le premier article, n. 18.

l'historien comme à l'analyste, si bien que l'on se retrouve constamment dans la situation du lecteur qui arrive au bout du *Guide*, peut-être rempli d'admiration, mais sans savoir au juste où il en est.

Les travaux spécialement consacrés à l'éthique et aux fins dernières dans l'ensemble de la pensée maïmonidienne ont été moins abondants que ceux portant sur les grands thèmes théologiques et métaphysiques évoqués dans les pages qui précèdent. On peut cependant signaler, sans revenir sur le travail philologique accompli et les recherches poursuivies autour du "Traité de la Résurrection",[61] maintes contributions qui intéressent soit les sources de la pensée éthique et l'eschatologie philosophique de Maïmonide,[62] soit l'analyse conceptuelle de ses aspects de sa doctrine: l'idéal de comportement moral (surtout des textes du premier livre du "Code" et les "Huit Chapitres"),[63] l'amour de Dieu,[64] la réalisation des plus hautes aspirations spirituelles de l'homme, exceptionnellement ici-bas et, pour les parfaits en vertus éthiques et dianoétiques, dans un au-delà pur de toute contingence matérielle, avec, peut-être, suppression définitive, par fusion avec l'Intellect divin universel, de toute note individuelle.[65]

La bibliographie de l'oeuvre maïmonidienne compte aussi quelques écrits qui ont été faussement attribués à l'auteur du *Guide*. Deux parmi ceux-ci ont été publiés et étudiés depuis 1933. H. D. Davidowitz a procuré une bonne édition de l'original arabe et de la version hébraïque par un R. Zeraḥyah non identifié avec certitude, du traité fragmentaire *Peraqîm be-haṣlāḥâh* (Chapitres sur la Béatitude); cette édition a gran-

61 Cf. *supra*, n. 32. — Dans un cours inédit de l'Ecole Pratique des Hautes Etudes dont nous publierons peut-être un jour les résultats, nous avons confronté sur ce point les enseignements respectifs de Maïmonide et d'Ibn Rushd.

62 Herbert Davidson, "Maimonides' *Shemonah Peraqim* and Alfarabi's *Fuṣūl al-Madani*", *PAAJR* 31 (1963), pp. 33–50. — A. Altmann, "Maimonides' 'four perfections' ", *Israel Oriental Studies* 2 (1972), pp. 15–24 (*Guide* III, 54 et l'Epître des Adieux d'Ibn Bâjja).

63 S. Dawidowicz, "Séfer ha-petîḥâh le-Mishneh Tôrâh", dans *Iyyunim Bemaḥashevet Yisrael*, I, pp. 424–464, reprise d'un article intitulé "Pereq be-tôrat musar le-RMBM" (On Maimonides' Ethics), *Mordecai M. Kaplan Jubilee Volume*, Hebrew Section (New York, 1953), pp. 205–236. E. Schweid. *'Iyyûnîm bi-Shemonah Peraqim le-RMBM*, Jerusalem, 1965, compte rendu de G. Vajda, *REJ* 126 (1967), pp. 314–315.

L'article d'E. Bertola, "La morale di Mosé Maimonide", *Rivista di Filosofia Italiana* 4 (1949), pp. 177–195 nous est resté inaccessible.

64 Cf. G. Vajda, *L'amour de Dieu dans la théologie juive du Moyen Age* (Paris, 1957), pp. 118–140, 299; aux indications données p. 118, n. 1, il faut ajouter les textes importants de S. Rawidowicz qu'on peut facilement trouver maintenant dans *Iyyunim* (*supra*, n. 63), en particulier pp. 318–327 et 356–358.

65 H. Blumberg, "The Problem of Immortality in Avicenna, Maimonides and St. Thomas Aquinas", *H. A. Wolfson Jubilee Volume* I (1965), pp. 165–185.

dement profité de la révision et des notes complémentaires de D. Z. Baneth.[66]

Un autre opuscule, écrit en hébreu, se situe à la limite de la philosophie et de la Kabbale; il n'est pas douteux d'ailleurs qu'il ne dépende en grande partie du *Ginnat Egôz* de Joseph Ibn Giqaṭilia; sa date de composition doit se situer au tournant du XIIIe et du XIVe siècle.[67] Son attribution à Maïmonide relève, semble-t-il, d'une tendance qui se manifeste dans certains milieux d'ésotéristes (mais elle est loin d'être générale) d'essayer de ranger vaille que vaille le grand Docteur parmi les détenteurs de l'ultime vérité qu'est la Kabbale.[68]

Les controverses autour de l'oeuvre théologique (et d'ailleurs aussi halachique) de Moïse Maïmonide n'ont pas cessé d'occuper la recherche depuis quarante ans.

Sur R. Abraham ben David de Posquières, le vigoureux critique du *Code*, du vivant même de Maïmonide, M. Isadore Twersky a écrit un

66 *De Beatitudine Capita Duo, R. Mosi ben Maimon adscripta,* (Jérusalem, 1939). Sur une citation de ce texte chez R. Joseph Ya'beṣ (mort en 1507), cf. la notule de G. Vajda, "Une citation non signalée du *Chapitre sur la Béatitude* attribué à Moïse Maïmonide", *REJ* 130 (1971), p. 304–305. Le mystère de ce texte n'est pas encore éclairci; en tous cas, il fait partie de l'ensemble de productions judéo-arabes d'inspiration tant maïmonidienne que néoplatonicienne, tendant au mysticisme plus soufique que kabbalistique (en gros) qui constituera, en Egypte, en Syrie, et au Yémen, la pensée spéculative, non sans une certaine variété, des Juifs arabophones postérieurement à Maïmonide.

Outre les travaux concernant l'oeuvre littéraire des descendants de ce dernier, il faut mentionner ici les recherches, malheureusement abandonnées, de Franz Rosenthal, "A Judaeo-Arabic Work under Sufic Influence", *HUCA* 15 (1940), pp. 433–484; une thèse de Columbia University, parue à Leyde en 1974, de David R. Blumenthal, *The Commentary of R. Ḥoter ben Shelomo to the Thirteen Principles of Maimonides,* apporte une contribution de poids à la connaissance des mouvements intellectuels dans les communautés juives du Yémen pendant les XIIIe–XVe siècles.

67 *Tish'âh perâqîm mi-yiḥûd ha-meyuḥâsîm le-hâ-RMBM,* éd. G. Vajda, *Kobez Al Jad* 15 (Jérusalem, 1950), pp. 105–137; analyse dans l'article de l'éditeur, "Le traité pseudo-maïmonidien *Neuf Chapitres sur l'unité de Dieu*", *Archives d'histoire doctrinale et littéraire du moyen âge* 20 (1953), pp. 83–98; voir aussi G. Scholem, *Tarbiz* 28 (1958/9), p. 81 et 211–215.

68 G. Scholem, "Me-ḥôqêr limequbbal (Aggâdat ha-mequbbâlîm 'al hâ-RMBM)", *Tarbiz* 6 (1934/35), pp. 334–342; A. Altmann, "Das Verhaeltnis Maimunis zur juedischen Mystik", *MGWJ* 80 (1936), pp. 305–330 (similitudes et surtout différences de structure mentale; Maïmonide vu par Abraham Abulafia); Jacob I. Dienstag, "Hâ-RMBM le'ôr ḥakmey ha-qabbâlâh" (Maimonides as viewed by the Cabalists), *Maimonides, His Teachings and Personality,* S. Federbusch ed. (New York, 1956), partie hébraïque, pp. 99–135.

ouvrage capital,[69] après avoir étudié, quelques années plus tôt, l'attitude du "Rabad" à l'égard des sciences profanes.[70]

Après la mise au point utile et consciencieuse mais attachée surtout à l'exposé événementiel et peu préoccupée de l'analyse des problèmes doctrinaux, que nous devons à Joseph Sarachek,[71] l'ouvrage plus récent, mais malheureusement superficiel et défiguré par des erreurs trop fréquentes, de M. Daniel J. Silver[72] n'a pas comblé notre attente de voir enfin paraître sur ce secteur si important de la pensée juive une monographie d'ensemble étoffée comme il convient, en même temps que sérieusement documentée et pénétrant au delà de la surface des questions en jeu.

Les autres contributions à ce thème (qui conservera plus ou moins d'actualité jusqu'au XVIe siècle, avec des échos qui retentissent jusque dans le XIXe) demeurent soit cursives, soit partielles ou bien elles ne concernent, malgré l'intérêt qu'elles peuvent présenter en elles-mêmes, que des points relativement mineurs.[73]

L'accueil, plus ou moins mitigé, fait à Maïmonide par la scolastique chrétienne où sa pensée était connue à travers les versions latines, assez imparfaites, du *Guide*, les extraits insérés dans le *Pugio Fidei* de Raymond Martin, et en Italie par la collaboration de Moïse de Salerne avec des théologiens dominicains du royaume de Naples, a été l'objet de quelques travaux dont l'auteur de ces lignes a résumé l'essentiel dans

69 *Rabad of Posquières. A Twelfth Century Talmudist* (Cambridge, Mass., 1962); compte rendu de Ch. Touati, *REJ* 123 (1964), pp. 217–220.

70 "Rabbi Abraham ben David of Posquières: His Attitude to and Acquaintance with Secular Learning", *PAAJR* 26 (1957), pp. 161–192.

71 *Faith and Reason. The Conflict over the Rationalism of Maimonides* (Wiiliamsport, 1935). Il faut mentionner ici le précieux article d'A. Marx, "Texts about Maimonides", *JQR* n.s. 25 (1935), pp. 371–428. Dans sa réédition, munie de notes utiles, du *S. Milḥamôt Hashem* d'Abraham Maïmonide (Jérusalem, 1953), le rabbin R. Margulies présente le dossier d'une manière lénifiante, plus propre à apaiser et à édifier les âmes pieuses qu'à satisfaire l'historien.

72 *Maimonidean Criticism and the Maimonidean Controversy, 1180–1240* (Leyde, 1965); comptes rendus concordants dans leur sévérité de J. Dan, *Tarbiz* 35 (1965/6), pp. 294–300, et de G. Vajda, *REJ* 125 (1966), pp. 432–436. Dans un article ultérieur, "Nachmanides' Commentary on the Book of Job", *JQR* n.s. 60 (1969/70), pp. 9–26, le même auteur ne semble pas avoir discerné la critique implicite exercée par Moïse ben Naḥman contre Maïmonide.

73 On peut nommer ici le mémoire de Judah Rosenthal, *Ha-wikkuaḥ ha-anṭi-maymûnî be'ispaqlaryâh shel ha-dôrôt* (The Anti-Maimonides Controversy in the light of History) dans *Meḥqârîm u-meqôrôt* I (Jérusalem, 1967), pp. 126–202 (en partie dans *Maimonides*... ed. S. Federbusch, partie hébraïque, pp. 35–57); les articles de A. S. Halkin: "Why was Levi ben Ḥayyim Hounded", *PAAJR* 34, 1966, pp. 65–76; "Yedaiah Bedershi's Apology", *Jewish Medieval and Renaissance Studies*, pp. 165–183; "Ha-ḥerem 'al limmûd ha-filôsôfiyâh" (The Ban on the Study of Philosophy), *Peraqim* I (1967/8), pp. 35–55; la prise de posi-

une communication faite au printemps de 1969;[74] peu après cette date ont vu le jour des études très importantes de Giuseppe (Yôsêf) Sermoneta dont les recherches, sur lesquelles nous reviendrons, ont considérablement enrichi nos connaissances concernant la pensée juive en Italie au XIIIe et au XIVe siècle.[75]

La philosophie juive postérieure à Maïmonide reste marquée, c'est une banalité trop souvent répétée, par la doctrine de l'auteur du Guide. En fait cependant les déviationnistes ne manquent pas et les "maïmonidiens" purs, imitateurs ou vulgarisateurs, ne sont pas nombreux, bien que la diffusion et par conséquent l'influence de leur oeuvre leur confère

tion de Ch. Touati, "La controverse de 1303–1306 autour des études philosophiques et scientifiques", *REJ* 127 (1968), pp. 21–37; les contributions de J. Shatzmiller, "Litemûnat ha-maḥlôqet ha-ri'shônâh 'al kitbey hâ-RMBM (Towards a Picture of the First Maimonidean Controversy), *Zion* 34 (1969), et "Iggartô shel R. Asher b. R. Gershom le-rabbâney Ṣarfat mi-zeman hamaḥlôqet 'al kitbey hâ-RMBM (The letter from Rabbi Asher ben Gershom to the Rabbis of France at the time of the controversy about the works of Maimonides), dans *Meḥqârîm be-tôldôt 'am Yisrâ'êl we-ereṣ Yisrâ'êl le-zêker Ṣebi Abnêrî* (Haifa, 1970), pp. 129–140. Sur les répercussions du débat autour de Maïmonide dans le judaïsme achkénaze: E. E. Urbach "Ḥelqam shel ḥakmey Ashkenaz we-Ṣarfat be-pulmus 'al hâ-RMBM we"al sefârâw", extrait de *Zion* 12 (1946); E. F. Kupfer, "Sefer ha-berît u-ketâbîm 'aḥêrîm le-R. Yômṭôb Muelhausen", *Sinai* 56 (1964/65), pp. 330–343; au sujet de la polémique directe ou indirecte des Kabbalistes contre Maïmonide, G. Vajda, *Recherches sur la philosophie et la Kabbale dans la pensée juive du Moyen Age* (Paris, 1962) (en particulier, pp. 11–113); "Un chapitre de l'histoire du conflit entre la Kabbale et la philosophie, la polémique anti-intellectualiste de Joseph b. Shalom Ashkenazi de Catalogne", *Archives d'histoire doctrinale et littéraire du Moyen Age* 23 (1956), pp. 45–144 (cf. les textes édités dans *Tarbiz* 27 (1957/58), pp. 290–300). Sans être "anti-maïmonidien au sens étroitement polémique du terme, l'auteur anonyme d'une dissertation sur "L'unité du Créateur" prend une position assez divergente de celle de Maïmonide dans la question des rapports entre le sujet d'intellection, l'opération intellective et l'objet d'intellection; texte édité par A. Altmann "Ma'amar beyiḥûd ha-bôrê' " (The "Treatise on the Unity of the Creator"), *Tarbiz* 27 (1957/58), pp. 301–309.

74 "La philosophie juive du moyen âge et sa fonction dans la civilisation occidentale", *Oriente et Occidente nel Medioevo, Filosofia e Scienze* (Rome, 1971), pp. 211–224. Aux indications qui y sont données, l'on peut ajouter l'article de S. Feldman, "A scholastic misinterpretation of Maimonides' doctrine of divine attributes", *JJS* 19 (1968), pp. 23–39 et celui d'E. Bertola, "Una traduzione latina medievale del Scemoneh Peraqim (Gli Otto Capitoli) di Mosé Maimonide", *Rivista di Filosofia Neo-Scolastica* 61 (1969), pp. 165–184. Les théologiens coptes d'Egypte se sont également intéressés à la théologie de Maïmonide; cf. à ce sujet G. Vajda. "Un abrégé chrétien du *Guide des Egarés* de Moïse Maïmonide", *JA* (1960), pp. 115–136.

75 "He'ârôtêhem shel R. Môsheh b. Shelomo mi-Salerno weshel Nikolaus mi-Giovinazo le-Moreh Nebûkhîm" (Moses ben Solomon of Salerno and Nicholaus of Giovinazo on Maimonides' "The Guide of the Perplexed"), *Iyyun* 20 (1969), pp. 212–240; *Un glossario filosofico ebraico-italiano del XIII secolo* (Rome, 1969), compte rendu de Jacqueline Genot, *REJ* 130 (1971), pp. 117–120.

dans l'histoire intellectuelle du judaïsme une importance où leur originalité entre pour bien peu de chose. D'autre part, plusieurs facteurs nouveaux entrent en jeu dans la philosophie juive post-maïmonidienne: l'apparition pour ainsi dire contemporaine à Maïmonide de l'enseignement d'Ibn Rushd, immédiatement répercuté dans les milieux intellectuels juifs d'Espagne et de Provence-Languedoc; deux générations plus tard, les contacts avec la scolastique chrétienne d'Occident; enfin la Kabbale qui constitue en partie, mais en partie seulement, une réaction contre la philosophie. De plus, la conjoncture historique générale, qui devient nettement défavorable aux Juifs pendant les deux derniers siècles du moyen âge, contribue de son côté à réanimer et à renforcer les courants anti-intellectualistes dans le judaïsme rabbinique,[76] même chez les Docteurs qui se montrent par ailleurs assez réservés à l'égard du mysticisme ésotériste.

Sur chacun de ces points, nous pouvons enregistrer des progrès notables, mais qui laissent encore beaucoup de questions négligées ou insuffisamment traitées, dans les recherches produites depuis 1933.

Le continuateur le plus direct de Moïse Maïmonide fut sans doute son fils Abraham. On sait cependant qu'en dépit de sa fidélité à la pensée théologique de son père qu'il défendit énergiquement contre les adversaires surgis de divers côtés, sa spiritualité personnelle porte une touche franchement mystique et s'engage dans des voies fort différentes en réalité de celle préconisée par le *Guide.*

M. Samuel Rosenblatt, qui avait publié dès 1927 un premier travail sur Abraham Maïmonide, le compléta par un second volume paru onze ans plus tard,[77] tandis que le commentaire inachevé d'Abraham sur le Pentateuque fit l'objet beaucoup plus tard d'une édition savante (malheureusement non sans quelques faiblesses philologiques) accompagnée d'une version en hébreu moderne, par M. Ernest Wiesenberg.[78]

76 Les travaux sur la théologie karaïte pendant le bas moyen âge ont été très peu nombreux. Nous ne voyons à signaler que la thèse de Columbia (1949), d'ailleurs restée à l'état de ronéotypie, de Morris Charner, *The Tree of Life by Aaron ben Elijah of Nicomedia. First Half* (*Chapter 1–78*) *translated from the Hebrew with Introduction and Notes,* et l'article de H. Blumberg, "Aaron ben Eliyah's refutation of Maimonides' theories of attributes", *The Journal of Hebraic Studies* 2 (1969), pp. 25–39. Quelques notations aussi dans l'Appendice III de G. Vajda, "Le problème de la souffrance gratuite selon Yūsuf al-Baṣīr". (Voir *Addenda.*)

77 *The High Ways of Perfection* (*Kifâyat al-'âbîdîn*) of Abraham *Maimonides.* Vol. I, New York, 1927 (réimpr. 1970); vol. II, Baltimore, 1938 (traduction en hébreu moderne par Yûsuf b. Ṣâliḥ Dûrî, *Pirqey mūsār wemiddôt mêha-sêfer ha-gâdôl haniqrâ' S. ha-Maspîq le 'obdey Hashem,* Jérusalem, 1965).

78 *Pêrûsh Rabbenû Abraham ben ha-RMBM 'al Berêshît u-Shemôt* (Londres (Letchworth), 1959); comptes rendus par J. Blau, *KS* 35 (1959/60), pp. 320–332, et G. Vajda *REJ* 119 (1961), pp. 178–183.

Le "piétisme" d'Abraham Maïmonide, teinté d'une sympathie avouée pour les pratiques soufies qu'il avait amplement l'occasion d'observer en Egypte, a été étudié sous l'aspect de la vie liturgique juive dans une monographie de bonne tenue de M. Naphtali Wieder,[79] et dans son contexte social par S. D. Goitein,[80] du point de vue doctrinal enfin dans un mémoire détaillé de G. D. Cohen.[81]

Parmi les continuateurs et vulgarisateurs de Moïse Maïmonide en Occident (Provence, Languedoc et Péninsule Ibérique), la première place revient, ne serait-ce que chronologiquement, à Samuel Ibn Tibbon, traducteur du *Guide*. Bien que ses travaux personnels ne lui assignent pas une place de tout premier plan dans l'histoire de la pensée juive du Moyen Age, son oeuvre mériterait une monographie que nous attendons encore.[82]

En dehors du cercle, de toute manière très restreint, des intellectuels juifs imprégnés de culture philosophique, l'enseignement de Maïmonide fut vulgarisé dans les commentaires bibliques de David Qimḥi et les sermons de Jacob Anatolio, allié à la famille tibbonide. Sur les éléments philosophiques et théologiques de l'exégèse de David Qimḥi, nous disposons depuis peu d'un bon mémoire, publié en deux parties, de M. Frank Talmage;[83] quant à Jacob Anatolio, l'on annonce une thèse en préparation par Yeḥiel Grossman (Israël); en attendant, on doit se contenter de l'analyse agréable du *Malmad ha-Talmîdîm* que l'on doit à Israël Bettan.[84]

79 *Hashpâ'ôt islâmiyôt 'al ha-pulḥan ha-yehûdî* (Islamic Influences on Jewish Worship) (Oxford, 1947).

80 Recherches synthétisées dans "Abraham Maimonides and his Pietistic Circle", *Jewish Medieval and Renaissance Studies*, pp. 145–164.

81 "The Soteriology of R. Abraham Maimuni", *PAAJR* 35 (1967), pp. 75–98; 36 (1968), pp. 33–56. — Sur un opuscule théologico-mystique, de la même veine que la *Kifâya* d'Abraham Maïmonide et attribué à 'Obadyah, fils de celui-ci, voir G. Vajda, "The Mystical Doctrine of Rabbi 'Obadyah, Grandson of Moses Maimonides", *JJS* 6 (1955), pp. 213–225.

82 Les travaux de Z. Diesendruck (cf. ci-dessus, n. 54) et de G. Vajda, "An Analysis of the *Ma'amar yiqqawu ha-Mayim* by Samuel ben Judah Ibn Tibbon", *JJS* 10 (1959), pp. 137–148, article repris et complété dans *Recherches*... (*supra.*, n. 73), pp. 13–31, ne sont que partiels; on lira avec profit les pages concernant Samuel Ibn Tibbon, Jacob Anatolio et l'anonyme *Ruaḥ Ḥēn*, initiation elementaire à la philosophie de Maïmonide, dans le livre signalé plus haut, n. 75, de J. Sermoneta, pp. 21–42. Aperçu sommaire sur l'exégèse philosophique du *Cantique des Cantiques* dans le commentaire de Moïse ben Samuel Ibn Tibbon, G. Vajda, *L'Amour de Dieu*..., pp. 179 et suiv.

83 "David Kimḥi and the Rationalist Tradition" (I) *HUCA* 39 (1968), pp. 177–230; (II) Literary Sources, *Studies*... *Kiev* (New York 1971), pp. 453–478.

84 "The Sermons of Jacob Anatolio", *HUCA* 11 (1936), pp. 391–424 (repris dans *Studies in Jewish Preaching* (Cincinnati, 1939), pp. 49–86). Nous avons

Un autre auteur, excellent commentateur de Maïmonide et adaptateur des plus efficaces de la production philosophique en langue arabe de penseurs juifs comme musulmans, notamment Ibn Gabirol, al-Fârâbî et al-Ghazâlî, attend lui aussi de se voir consacrer une monographie mise à jour. Les quarante dernières années n'ont en effet apporté que des contributions en petit nombre et en ordre dispersé à l'étude de l'oeuvre de Shemṭôb ben Joseph (Ibn) Palqéra (Falqéra).[85]

Conjointement avec la "révolution maïmonidienne", l'autre grande nouveauté dans l'histoire intellectuelle du judaïsme du XIIIe siècle fut l'imprégnation pour ainsi dire instantanée — mais non sans quelque résistance — des Juifs intéressés à la culture philosophique par les doctrines diffusés avec une grande rapidité d'Abdul-Walîd Ibn Ibn Rushd (Averroès).[86] Une étude complète de l'impact d'Ibn Rushd sur la pensée juive devrait être l'une des tâches futures de la recherche dans ce domaine; il faut cependant convenir que les investigations préparatoires à cette fin sont loin d'être achevées.

Les divergences mises en relief sans ménagement par Ibn Rushd lui-même entre sa doctrine et celle d'Ibn Sînâ qu'à son avis al-Ghazâlî avait eu grand tort de prendre pour une expression authentique de la philosophie, ont occupé et préoccupé les penseurs juifs, d'autant plus que leur maître à penser Moïse Maïmonide se situait plutôt du côté d'Ibn Sînâ que dans la ligne de l'aristotélisme prétendument pur représenté par le Commentateur. Une prise de position fort intéressante à l'appui de la conception avicennienne touchant un problème de grande portée

assez longuement analysé ses textes concernant l'amour de Dieu dans notre livre sur ce thème, pp. 164–178.

85 A.M. Habermann a édité son *Iggeret ha-mūsar* dans *Kobez al Yad* n.s. I, 1 (Jérusalem, 1936), pp. 56–64, et Y. Hadash, l'opuscule *Batey hanhâgat ha-nefesh,* dans *Harofe' ha-'ibri* 12 (1939), pp. 56–64 (plusieurs de ses écrits ont été reproduits, avec les introductions des éditeurs respectifs dans une série en trois volumes, *Kitbey R. Shemṭôb Palqêra,* Jérusalem, 1970). Son rôle comme transmetteur, en adaptation hébraïque, des oeuvres d'al-Fârâbî a été mis en évidence par L. Strauss, "Eine vermisste Schrift Fârâbi's", *MGWJ* 80 (1936), pp. 96–106; Sur l'état dans lequel nous est parvenu son *Iggeret ha-wikkûah,* voir l'article de Joseph Dan, "Iggeret ha-wikkûaḥ le-Rabbi Shemṭôb Palquéra", *Tesoro de los Judios Sefardies* 6 (1963), pp. 42–46.

86 Des versions hébraïques des oeuvres d'Ibn Rushd un assez grand nombre ont été publiées ces dernières années. Sans prétendre donner ici une bibliographie exhaustive, indiquons en premier lieu quelques-unes des éditions critiques parues dans le *corpus* des commentaires d'Averroès patronné par la Medieval Academy of America: le résumé des *Parva Naturalia* édité par H. Blumberg (Cambridge, Mass., 1954) et traduit en anglais par le même, 1961, le commentaire moyen et le résumé du *De Generatione et Corruptione,* édités et traduits en anglais par Samuel Kurland, *ibid.* 1958; le *Ma'amar be-'eṣem ha-galgal* (Sermo de Substantia Orbis), édité par A. Hyman (thèse non publiée de Harvard, 1953, mais cf. son article "The Composition and Transmission of Averroes'

dans la philosophie du Moyen Age, celui de l'identité ou la non-identité de Dieu et du Premier Moteur, nous a été conservé en arabe, dans le traité de Joseph Ibn Waqâr sur lequel nous reviendrons, et aussi en traduction hébraïque: c'est celle de Moïse ben Joseph Halévi de Séville.[87]

A l'opposé de cette défense des positions avicenniennes, Ibn Rushd fut pris comme guide, non inconditionnellement suivi, il est vrai, par Isaac Albalag, dans la critique qu'il fit de l'exposition de la *falsafa* par al-Ghazālī *(Maqâṣid al-Falâsifa, Kawwânôt ha-Filosôfîm)*, en fait un raccourci de la philosophie d'Ibn Sīnâ, que ce théologien musulman avait compilé en vue de servir de base à la réfutation des philosophes (*Tahâfut al-Falâsifa, Happâlat ha-Filosôfîm*), qui sera réfutée à son tour par Ibn Rushd *(Tahâfut al-Tahâfut, Happâlat ha-happâlâh)*. L'étude basée sur la totalité des notes d'Albalag, publiée par G. Vajda et rectifiée sur certains points par A. Altmann et Ch. Touati,[88] suivie treize

Ma'amar be-'Eṣem ha-Galgal", *Studies and Essays in Honor of Abraham Neuman* (Leyde, 1962), pp. 299–307); E. I. J. Rosenthal, *Averroes' Commentary on Plato's Republic*, Cambridge 1956 (2e éd. 1966); Norman Golb, "The Hebrew Translation of Averroes' Faṣl al-Maqāl", *PAAJR* 25 (1956), pp. 91–113; 26 (1957), pp. 41–64. Cf. aussi G. Vajda, "Les deux versions hébraïques de la dissertation d'Averroès sur la science divine", *REJ* 113 (1954), pp. 63–66; Lawrence V. Berman, "Greek into Hebrew: Samuel ben Judah of Marseilles, Fourteenth Century Philosopher and Translator", *Jewish Medieval and Renaissance Studies,* pp. 289–320.

87 Traduction française de G. Vajda: "Un champion de l'avicennisme. Le problème de l'identité de Dieu et du Premier Moteur d'après un opuscule judéo-arabe inédit du XIIIe siècle", *Revue Thomiste*, 48 (1948), pp. 480–508; cf. H. A. Wolfson, "Averroes' Lost Treatise on the Prime Mover", *HUCA* 23, 1 (1950/51), pp. 683–710. — Deux fragments du même auteur édités, traduits en hébreu, et expliqués par G. Vajda, "Shiṭṭâtô shel R. Mosheh ben Yôsêf Halewi bahashgâḥâh ha-'elôhît" (The Doctrine of R. Moses ben Joseph Halevi on Providence), *Melilah* 5 (1955), pp. 163–168.

88 *Isaac Albalag, averroïste juif, traducteur et annotateur d'al-Ghazâlî* (Paris, 1960); comptes rendu par A. Altmann, *KS* (1961), pp. 197–200, et C. Touati, *REJ* 120 (1961), pp. 390–394, cf. l'article subséquent de ce dernier: "Vérité philosophique et vérité prophétique chez Isaac Albalag", *REJ* 121 (1962), pp. 35–47, les observations du P. Salvador Gómez Nogales, dans son aperçu "Problemas Metafísicos en la España musulmana contemporánea de Averroes", *Miscellanea Mediaevalia 2, Die Metaphysik im Mittelalter* (Berlin, 1963), pp. 403–413, l'exposé d'inspiration marxiste de Vladimir Sadek (qui concerne aussi Lévi ben Gerson), "Ein Beitrag zur Methodologie der mittelalterlichen jüdischen Philosophie", *Studia . . . Bakoš* (Prague, 1965), pp. 201–214. L'étude de Julius Guttmann, qui ne disposait que des matériaux incomplets publiés jadis par O. H. Schorr, est périmée, ainsi que l'analyse qui en a été faite par l'auteur de ces lignes: "Mishnâtô shel Yiṣḥâq Albalag", *Louis Ginzberg Jubilee Volume* (New York, 1945), Hebrew Section, pp. 75–92; G. Vajda, "A propos de l'averroïsme juif", *Sefarad* 12 (1952), deuxième partie, pp. 21–29: "La doctrine d'Isaac Albalag".

ans plus tard par l'édition critique du texte hébreu,[89] permet désormais d'assigner la place qui revient dans le déroulement de la pensée juive du moyen âge à un philosophe non négligeable, rationaliste à tout crin, dont les réflexions ont été certainement stimulées par les cogitations des "averroïstes latins" sur ce que l'on appelle assez improprement la théorie de "la double vérité".[90]

L'une des thèses les plus dangereuses du point de vue de la foi, chrétienne aussi bien que musulmane et juive, était celle de la fusion totale, consécutivement à la mort physique, de l'intellect humain désincarné et purifié avec les "intelligences séparées". Albalag, quant à lui, n'accepta pas les conclusions d'Ibn Rushd allant dans ce sens; et l'on sait que celles-ci furent vigoureusement combattues par Thomas d'Aquin, pour ne nommer que le plus réputé parmi les scolastiques latins. Le Juif italien Hillel ben Samuel, qui prit position contre Ibn Rushd, ne faisait que démarquer sur ce point, avec plus ou moins d'habileté, le Docteur Angélique, comme l'avait établi déjà Julius Guttmann; nous espérons la publication prochaine de la thèse conçue sur une vaste échelle de G. Sermoneta qui a complètement renouvelé toutes les questions posées par la personnalité et l'oeuvre du philosophe judéo-italien.[91]

Parmi les auteurs isolés du XIIIe siècle,[92] deux d'entre eux, éloignés l'un de l'autre dans l'espace et sous le rapport de l'idéologie, ont eu le

89 *Séfer Tîqûn ha-Dé'ôt,* The Israel Academy of Science and Humanities (Jérusalem, 1973).

90 Le problème des relations d'Albalag avec l'apostat Abner de Burgos attend sa solution; il est cependant certain que ce personnage était un lecteur, entre autres, d'Al-Ghazâlî et d'Ibn Rushd: cf. les indications données dans Isaac Albalag, p. 76, nn. 1–2.

91 *Rabbi Hillel ben Shemû'êl ben El'âzâr mi-Verona wemishnâtô ha-filosôfit* (Hillel ben Samuel ben Eleazar of Verona and his Philosophy), thèse dactylographiée de Jérusalem, 1961, avec résumé anglais; le travail partiellement publié de Werner Peeters, "Hillel ben Samuel, philosophe du XIIIe siècle," *Revue Philosophique de Louvain,* 44 (1946), pp. 271–290, n'a pas eu de suite à notre connaissance.

92 Nous ne nous arrêtons pas ici, malgré leur importance pour l'histoire religieuse, à des auteurs comme Moïse ben Naḥman ou Jonah ben Abraham, talmudistes au premier chef, secondairement exégètes, kabbalistes ou auteurs de livres d'édification, qui ont leur place marquée dans l'histoire de la spiritualité, de la mystique et de l'anti-intellectualisme dans le judaïsme médiéval. Rappelons simplement, et avec regret, qu'il n'existe toujours aucune monographie sérieuse sur Moïse ben Naḥman (le livre récent de Ch. Chavel, "Rabbênû Môshêh ben Naḥman" (Jérusalem, 1967), à qui l'on doit aussi une édition utile, mais encore inadéquate des oeuvres non halachiques du RMBN, relève plutôt de l'hagiographie que de l'histoire); le livre d'Abe Tobie Schrock, *Rabbi Jonah ben Abraham of Gerona; his life and ethical works* (Londres, 1948), est correct, sans plus; M. Théo Dreyfus a publié un article: "Les modalités du retour sur soi d'après un moraliste juif du XIIIe siècle, Rabenu Yona Gerondi", *Revue de Théologie et de Philosophie* (Lausanne, 1970), pp. 165–176.

privilège d'être l'objet de travaux de valeur. Les recherches, qui ne sont pas encore toutes publiées, de Mme Sarah Heller-Wilensky ont fait progresser considérablement notre connaissance d'Isaac ben Abraham Ibn Laṭîf, Juif d'Espagne qui essaya de combiner sa philosophie néoplatonisante avec une théosophie, kabbalistique si l'on veut, mais de création personnelle, non initiatique.[93] L'autre est un Juif irakien, Sa'd ibn Manṣûr Ibn Kammûna, qui s'est acquis une réputation particulière par son exposé critique, à la fois relativement serein et trop hardi pour l'époque, des trois religions monothéistes; M. Moshe Perlman a édité, puis traduit en anglais ce traité,[94] tandis que M. Leon Nemoy s'est occupé de la confrontation des doctrines rabbanite et karaïte instituée par le même auteur, avec recours massif au *Kuzari* de Juda Halévi.[95]

En plus de l'activité de Hillel de Vérone, l'Italie juive de la seconde moitié du XIIIe et du premier quart du XIVe devait connaître un épanouissement remarquable, mais ne s'étendant guère au-delà de deux générations, des études philosophiques sur lequel les recherches récentes de G. Sermoneta ont jeté de vives lumières. Dans un mémoire d'importance capitale,[96] ce dernier nous instruit pertinemment de l'idéologie d'un groupe d'intellectuels juifs de Rome constitué sous l'impulsion de Zeraḥyah ben Shealtiel Ḥen, originaire de Barcelone et dont le principal personnage se trouvait être Judah b. Moïse ben Daniel (Romano),[97] cou-

93 "Lishe'êlat meḥabberô shel Séfer Sha'ar ha-shamayim ha-meyuḥas le-'Abraham Ibn 'Ezrâ", (The Problem of the Authorship of the Treatise Sha'ar Hashshamayim ascribed to Abraham Ibn Ezra), *Tarbiz* 32 (1962/63), pp. 277–295; "Isaac Ibn Laṭif — Philosopher or Kabbalist", *Jewish Medieval and Renaissance Studies*, pp. 185–223; sur le contenu doctrinal du Commentaire d'Ibn Laṭîf à l'Ecclésiaste, cf. le résumé de notre cours dans l'*Annuaire de l'Ecole Pratique des Hautes Etudes, Sciences Religieuses,* 79 (1971) pp. 234–235.

94 *Sa'd b. Manṣūr Ibn Kammūna's Examination of the Inquiries into the Three Faiths* (Berkeley, 1967) (texte); *Ibn Kammūna's Examination of the Three Faiths, Berkeley* (Los Angeles, London, 1971) (traduction).

95 "Ibn Kammūnah's Treatise on the Differences between the Rabbanites and the Karaites", *PAAJR* 36 (1968), pp. 107–165 (traduction anglaise *JQR, n.s.* 63 (1972/73), pp. 97–135, 222–246).

96 "La dottrina dell'intelletto e la 'fede filosofica' di Jehudàh et Immanuel Romano", extrait de *Studi Medievali,* 3a Serie VI, 2 (1965); cf. G. Vajda *REJ* 125 (1966) p. 436–437.

97 A propos de celui-ci, nous pouvons signaler deux brefs travaux de J. Sermoneta: "Una trascrizione in caratteri ebraici di alcuni brani filosofici della Commedia", *Romanica et Occidentalia* (Mémorial H. Pflaum-Peri) (Jérusalem, 1964), pp. 23–42; "Ha-pêrûsh le-farashat Berêshît le-Rabbi Yehûdâh ben Mosheh ben Dânî'êl Românô u-meqôrôtaw" (The Commentary to the first Weekly Readings in Genesis by Judah Romano and its Sources), *4th World Congress of Jewish Studies,* Papers, Vol. II (1968), pp. 341–342 (sommaire anglais, p. 204).

sin du célèbre poète Immanuel.[98] Nous sommes là en présence d'une certaine mystique philosophique, d'union de l'intellect humain avec l'Intellect Agent, état de félicité certes réservé à une élite qui ne se désolidarise toutefois pas pour autant des traditions et de la manière de vivre de la masse des coreligionnaires incapables de participer à la vérité spéculative.[99]

Le XIVe siècle, marqué par des événements désastreux pour la situation des Juifs en Europe (expulsion du royaume de France, la Peste Noire, la persécution générale de 1390 en Espagne), est qualifié dans les manuels d'histoire de la pensée juive comme une période de décadence et de régression. Comme tout jugement global, cette caractérisation est une de ces demi-vérités qu'il serait préférable de formuler le plus rarement possible. On fait d'ailleurs exception au moins pour deux auteurs, d'inspiration très différente d'ailleurs, le Provençal Lévi ben Gerson et l'Aragonais Ḥasday Crescas. Mais les recherches publiées ou qui attendent publication des quarante dernières années ont déjà beaucoup fait, malgré leur insuffisance numérique et parfois qualitative, pour dessiner plus fermement le tableau en en comblant les lacunes et en le complétant.

Sans constituer un critère tout à fait adéquat, étant donné surtout le chevauchement des domaines provençalo-languedocien et ibérique, la répartition régionale des auteurs ne laisse pas d'être, une fois de plus, un moyen de classement assez commode.

Parmi les participants de la seconde controverse autour du *Guide* et de l'étude de la philosophie figurent Yeda'yah de Béziers (Penini) et Lévi ben Abraham de Villefranche.[100] Bien que les matériaux ne man-

98 Si le caractère très profane de la poésie de celui-ci demeure incontestable, des travaux récents, en dehors de ceux de Sermoneta, contribuent à mettre en évidence les aspects philosophiques et théologiques de son oeuvre en prose et en forme rythmée et versifiée; Franco Michelini Tocci a édité et présenté, d'une manière qui donne lieu à des réserves, un morceau de ses commentaires bibliques: *Il commento di Emmanuele Romano al-Capitolo I della Genesi* (Rome 1963); cf. G. Vajda, *REJ* 123 (1964), pp. 220–222 (et cf. la note précédente); la thèse inédite (et en cours de révision) de Mme Jacqueline Genot, *La problématique de la damnation et le "Tofet" d'Immanuel de Rome* (cf. provisoirement sa position de thèse, *Annuaire de l'Ecole Pratique des Hautes Etudes,* Ve Section, Sciences Religieuses, 79 (1971/2), pp. 473–474), cherche à détecter l'arière-plan philosophico-théologique de la technique d'écriture "anthologique", procédant par réminiscences littéraires biblico-rabbiniques; cf. aussi David Goldstein, "Longevity, the Rainbow, and Immanuel of Rome", *HUCA* 42 (1971), pp. 243–250. Commentaire d'Immanuel au *Cantique des Cantiques* brièvement caractérisé dans *Amour de Dieu,* p. 242.

99 Pour les travaux de Sermoneta concernant la transmission et l'interprétation du *Guide des Egarés* en Italie, cf. ci-dessus, n. 75.

100 *Cf. ci-dessus,* n. 73.

quent pas, les oeuvres de l'un et de l'autre n'ont été publiées qu'en partie.

Ainsi, du commentaire-fleuve de Yeda'yah sur les *Aggadot* rien n'a été imprimé postérieurement l'édition, peu satisfaisante, des gloses sur le *Midrash Tehillim* par S. Buber, qui date de 1891 (réimpression, Jérusalem 1967); assurement, il ne s'agit pas d'une oeuvre de premier plan, mais cette accumulation de réflexions à propos des parties aggadiques du Talmud de Babylonie et de plusieurs *Midrashim* est un document riche en enseignements sur la culture et la mentalité des intellectuels juifs de Provence dans la première moitié du XIVe siècle, et mérite comme tel d'être examiné de près.[101]

Les recherches faites sur Lévi ben Abraham sont de caractère surtout bibliographique,[102] pour le fond, on ne constate pas de progrès notable par rapport au mémoire de Leo Baeck qui date de 1900.

Une thèse, encore inédite, mais dont la publication est envisagée, offre une étude au moins partielle de la doctrine de Joseph "Ibn Kaspi";[103] un aspect "sioniste", très mal connu de cette doctrine a été mis en lumière par S. Pines.[104]

Bien que marginale par rapport à la "philosophie", l'oeuvre du grand talmudiste provençal Menaḥem Meirî ne doit pas être passée sous silence ici. Esprit relativement ouvert, il ne dédaigna pas de puiser aux sources philosophiques lorsqu'il traitait de questions de morale: l'édition utile, quoique laissant à désirer, de son traité de la repentance,[105] témoigne de l'étendue de ses lectures; l'annotation, très déficiente à cet égard, de l'édition et les quelques notes rapides de G. Vajda (se rajoutent à celles de L. Ginzberg, qui fugurent déjà dans l'édition),[106] sont loin de répondre aux besoins de l'enquête, qui devrait du reste être étendu à ces commentaires bibliques et talmudiques (surtout d'*Âbôt*).

Plus marqué est le progrès dans les recherches sur Lévi ben Gerson

101 Outre les travaux indiqués dans la note 73, on ne peut guère signaler que l'article bref, mais important, de S. Pines sur la forme individuelle et le problème de libre arbitre d'après une dissertation inédite de Yeda'yah: "Ha-ṣûrôt ha-'ishiyôt bemishnâtô shel Yeda'yah Bedershî", *H. A. Wolfson Jubilee Volume*, III, pp. 66–93.

102 Ainsi de l'article de Colette Sirat (qui reprendra peut-être un jour ses recherches dans ce domaine): "Les différentes versions du *Liwyat Ḥen* de Lewi ben Abraham", *REJ* 122 (1963), pp. 167–177 (p. 167, n. 2 renvoi aux articles d'I. Davidson).

103 Barry Mesh, *Joseph Ibn Caspi. Fourteenth Century Philosopher and Exegete*, thèse de Brandeis, 1972.

104 "Histabrût ha-teqûmâh mêḥâdâsh shel medînâh yehûdît lefî Yôsêf Ibn Kaspî ulefî Spinoza", *'Iyyun* 14 (1964), pp. 289–317.

105 *Ḥibbûr ha-teshûbâh*, éd. Abraham Schreiber (New York, 1950).

106 "He'ârôt le-*Ḥibbûr ha-teshûbâh* le-Rabbēnū Menaḥêm ben Shelômôh ha-Mei'rî", *Iyyun* 20 (1970), pp. 242–244.

(dit "Gersonide"), grâce surtout aux travaux de Ch. Touati.[107] Les investigations de ce chercheur, étayées par une connaissance probablement inégalée jusqu'à présent des textes de son auteur aboutissent à tracer de Gersonide l'image d'un penseur beaucoup plus enraciné, en dépit de son indépendance d'esprit et de ses témérités, dans la tradition rabbinique et l'idéologie propre du judaïsme qu'il n'apparaissait à travers les travaux des historiens précédents, et notamment de Julius Guttmann.

Sur la vie intellectuelle en Provence dans le derniers tiers du XIVe siècle, les écrits, en eux-même d'importance assez réduite, de Jacob ben Salomon Ṣarfati fournissent quelques données. Ces textes ont été mis à contribution sinon exploités à fond dans un article de G. Vajda.[108]

La vie intellectuelle juive demeure intense dans tous les domaines et à plusieurs niveaux[109] dans l'Espagne (et le Roussillon qui en faisait encore partie, politiquement et culturellement) au XIVe siècle;[110] de

107 "Les idées philosophiques et théologiques de Gersonide (1288–1344) dans ses commentaires bibliques", *Revue des Sciences Religieuses* 28 (1954), pp. 335–367; *Lévi ben Gershom (Gersonide). Les Guerres du Seigneur. Livres III et IV. Introduction, traduction et notes* (Paris, 1968); *La pensée théologique et philosophique de Gersonide,* thèse de Paris, 1971 (paru en novembre 1973). L'article, qui date de 1929, de Julius Guttmann, sur la théorie du concept chez Lévi Gerson, a été publié en traduction hébraïque, "Tôrat ha-mussâg shel ha-RLBG", dans *Iyyun* 3 (1952), pp. 125–135. Parmi les papiers laissés par Isaac Husik figurait une esquise non publiée de son vivant, "Gersonides", imprimée dans *Philosophical Studies* (Oxford, 1952), pp. 172–185 (on a réimprimé dans le même volume, pp. 186–254, sa sévère et juste critique du mauvais travail de Benzion Kellermann). Une traduction anglaise d'un des textes majeurs d'exégèse biblique de l'auteur a été publiée par Abraham L. Lassen, *The Commentary of Levi ben Gersom (Gersonides) on the Book of Job. Translated from the Hebrew with Introduction and Notes* (New-York, 1946), on peut noter encore Jakob Karo, *Kritische Untersuchungen zu Levi ben Gersons (Ralbag) Widerlegung des aristotelischen Zeitbegriffs* (Leipzig, 1935): Seymour Feldman, "Gersonides' Proofs for the Creation of the Universe", *PAAJR* 34 (1967), pp. 113–137; cf. aussi *L'Amour de Dieu,* pp. 247–252.

108 "Letôldôt ha-pulmus bên ha-filôsôfiyah veha-dat. Shiṭṭâtô wedé'ôtâw shel Rabbi Ya'aqôb ben Shelômôh ha-Ṣarfâtî", *Tarbiz* 24 (1954/55), pp. 301–322.

109 Nous n'avons pas à nous occuper ici de littérature rabbinique, d'exégèse et de mystique. Les découpages sont néanmoins artificiels et les délimitations arbitraires. Pour ne nommer que deux exemples, l'oeuvre de vulgarisateur ou de prédicateur d'un Baḥyé ben Asher et d'un Josué Ibn Shu'ayb débordent largement sur la théologie et la philosophie. A défaut de monographies véritables sur ces deux auteurs, la recherche a bénéficié ces dernières années de l'édition annotée des oeuvres du premier par Ch. Chavel, (*Kitbey Rabbênû Baḥyé* (Jerusalem, 1969), publication précédée par celle du *Bé'ur 'al ha-Tôrâh, ibid.* 1966–68), tandis qu'une reproduction photomécanique des *Derashôt* d'Ibn Shu'ayb imprimée à Cracovie 1573, est parue à Jérusalem, 1969, précédée d'une savante introduction due a Shraga Abramson.

110 Coup d'oeil rapide, par G. Vajda: "Quelques aspects de la philosophie juive d'Espagne au XIVe siècle", *Estudios Lulianos* 8 (1964), pp. 41–53; la thèse

son côté, le Maroc connaît encore une arrière-saison de mouvement philosophique, mais qui n'est plus due, semble-t-il, qu'à l'activité de personnages isolés.

Ce secteur n'a pas été laissé en friche par les chercheurs de la dernière génération, mais les parties insuffisamment explorées continuent à être nombreuses. L'un des auteurs les plus étudiées depuis quelques années (et aussi, sans doute, l'un des plus considérables de la période en question) est Moïse ben Josué (maître Vidal Bellsom), dit Narboni; originaire de Perpignan, ville catalane, ayant passé une bonne partie de sa vie dans la Péninsule, il appartient par sa culture et son oeuvre à l'Espagne plus qu'au Languedoc.

Les contributions les plus substantielles à la connaissance de sa pensée ont été apportées par un excellent article de Ch. Touati[111] et une savante étude d'A. Altmann[114] qui renferme aussi l'édition d'un de ses opuscules, un autre ayant été édité par C. Sirat.[113]

Bien que l'Espagne musulmane fût réduite au XIVe siècle au seul royaume de Grenade, il restait encore dans la partie redevenue chrétienne de la Péninsule des théologiens juifs d'expressions arabe, ce qui suppose l'existence d'un public instruit de leur confession qui continuait à pratiquer la langue d'Ismaël. Les textes inédits de deux d'entre eux (et plus cursivement, un texte d'un troisième) ont été étudiés par G. Vajda. La dissertation sur la destinée, la providence et l'immortalité de l'âme de Moïse Cohen Ibn Crispin[114] est un exemple instructif de

(en hébreu) de Shalom Rosenberg, *Logic and Ontology in Jewish Philosophy in the 14th Century C.E.*, annoncée depuis 1971, n'est pas achevée au moment où nous écrivons (janvier 1973).

111 "Dieu et le monde selon Moïse Narboni", *Archives d'histoire doctrinale et littéraire du Moyen Age*, 21 (1954), pp. 193–205.

112 "Moses Narboni's Epistle on Shi'ur Qōmā", *Jewish Medieval and Renaissance Studies*, pp. 225–288 (l'étude, sans le texte, reproduit dans *Studies in Religious Philosophy and Mysticism*, pp. 180–209).

113 *Pirqey Mosheh* le-Mosheh Narboni (Moses Narboni's Pirqey Moshe), *Tarbiz* 39 (1969/70), pp. 287–306. — Edition partielle, avec introduction traduction anglaise et notes, du *Shelêmût ha-nefesh*, thèse de Brandeis (1963), inédite, par Alfred Lyon Ivry, *Moses of Narbonne's Treatise* "The Perfection of the Soul" (cf. l'article du même, "Moses of Narbonne's Treatise on the Perfection of the Soul", *JQR*, n.s. 57 (1966/67), pp. 271–297); édition et traduction annotée du commentaire sur "L'Epître sur la possibilité de la conjonction" d'Ibn Rushd, dans la thèse de Brandeis (1972), également inédite, de Kalman Perry Bland: *The Epistle on the Possibility of Conjunction by Ibn Rushd with the Commentary of Moses Narboni.* — Deux contributions mineures de G. Vajda: "Comment le philosophe juif Moïse de Narbonne comprenait-il les paroles extatiques (*šaṭaḥāt*) des soufis?", *Actas del Primer Congreso de Estudios Arabes Islamicos* (Madrid, 1964), pp. 129–135; "Moïse de Narbonne sur les sefirot, les intelligences et les sphères", dans *Recherches* . . . pp. 396–403.

114 "A propos de l'averroïsme juif" *Sefarad* 12 (1952), pp. 3–21. Au sujet

la culture philosophique accordée vaille que vaille avec les exigences de la religion d'un intellectuel juif à tendance fidéiste du temps et du milieu dont il s'agit. De beaucoup plus grande envergure, sinon plus original, fut le Tolédan Joseph ben Abraham Ibn Waqâr, dont le traité "conciliateur" entre la philosophie et la Kabble est une oeuvre probablement unique dans son genre. Après un premier aperçu (si l'on fait abstraction des notations principalement bibliographiques de M. Steinschneider) de sa doctrine que nous devons à G. Scholem,[115] G. Vajda a scruté davantage en profondeur le traité de "Conciliation entre la philosophie de la Loi révélée".[116] Ce traité sera copieusement exploité quelques dizaines d'années après sa rédaction par le compilateur d'expression hébraïque, lui, Samuel ben Saadia Ibn Moṭoṭ, dont le même chercheur a également étudié quelques-uns des opuscules, sans avoir d'ailleurs poussé l'enquête très avant.[117]

Vers la même époque (aux environs de 1370) se situe l'activité de Ḥanôk ben Salomon al-Qosṭantînî dont le traité sur les visions d'Isaïe et d'Ezéchiel a été traduit et commenté par C. Sirat, qui prépare aussi depuis longtemps l'édition du texte.[118]

L'intérêt des chercheurs s'est également tourné dans le passé récent vers l'oeuvre, à tendance anti-rationaliste dans l'ordre théologique, du grand talmudiste Nissim ben Reuben de Gérone qui peut être considéré sous ce rapport comme un précurseur de Ḥasday Crescas et de Joseph Albo.[119]

Le Maroc juif, qui ne donnait plus, depuis la seconde moitié du XIIe siècle, des signes perceptibles d'activité philosophique et théologique (ju-

du troisième: "Une copie non identifiée du commentaire de Rabbi Israël ben Joseph sur *Abot*", *REJ* 130 (1971), pp. 99–102.

115 "Sifrô ha-'arabî shel Rabbi Yôsêf Ibn Waqâr 'al ha-qabbâlâh wehafilôsôfiyâh", *KS* 20 (1942/43), pp. 153–162.

116 D'abord dans *Sefarad* 9–10 (1949–50), ensuite dans *Recherches,* 2e Partie "Joseph ben Abraham Ibn Waqâr et sa tentative de conciliation de la philosophie et de la religion", pp. 116–297, et les notes annexes VII à X, pp. 385–403. Cf. également A. M. Habermann, *Shirey ha-yiḥûd weha-kâbôd* (Jérusalem, 1948), pp. 99–122, 191 suiv.; G. Vajda, " 'Al pêrûshô shel Rabbi Yôsêf Ibn Waqâr le-Séfer Yeṣîrâh", *Tesoro de los Judios Sefardies* 5 (1962), pp. 17–20; Gabrielle Séd-Rajna, "Pêrûsh ha-tefillôt shel Rabbi Yôsêf Ibn Waqâr", *ibid.* 9 (1966), pp. 11–23.

117 "Recherches sur la synthèse philosophico-kabbalistique de Samuel Ibn Moṭoṭ", *Archives d'histoire doctrinale et littéraire du Moyen Age,* 27 (1960), pp. 29–63.

118 *"Mar'ôt Elôhîm* (Les Visions Divines) de Ḥanokh ben Salomon al-Qostanṭini", *REJ* 121 (1962), pp. 247–354.

119 La thèse solide (Paris, 1972) de Sara Klein-Braslavy, *Rabbenu Nissim ben Reuben de Gérone devant la philosophie de son temps,* est encore inédite. — L. A. Feldmann a édité le commentaire inachevé sur le Pentateuque, *Pêrûsh Rabbênû Nissim 'al ha-Tôrâh* (Jerusalem, 1967).

gement sujet à révision à la lumière de recherches plus poussées dans la documentation manuscrite insuffisamment explorée) vit paraître au XIVe siècle, dans la personne de Juda ben Nissim Ibn Malka, un penseur fort curieux, nourri de philosophie néoplatonicienne et imprégné au surplus de croyances astrologiques et aussi d'influences kabbalistiques reçues principalement du *Séfer ha-Bâhîr* et de Moïse ben Naḥman. Cet auteur a été étudié par G. Vajda.[120]

Dans le dernier siècle de l'existence du judaïsme officiellement toléré dans la Péninsule ibérique, la tendance fidéiste prit le dessus, on le sait, dans la pensée juive; celle-ci vouera désormais son principal effort à la défense contre la philosophie averroïste, jugée destructive pour la religion positive à l'intérieur et à la polémique confessionnelle, devant la pression aggravée sur tous les plans de l'environnement chrétien; de plus, ce dernier avait cessé d'être récepteur de valeurs culturelles de la part des Juifs; le courant s'est inversé: le savoir scientifique, médical et philosophique vient maintenant aux Juifs de sources latines, plus souvent que ce ne fut le cas depuis la deuxième moitié du XIIIe siècle. Il est cependant difficile d'évaluer par la seule voie de l'analyse conceptuelle l'influence réelle de la scolastique latine sur la pensée philosophique au sein du judaïsme pendant le XIVe et le XVe siècle; la possibilité, voire la probabilité de développements internes est, dans plus d'un cas, non moins défendable que l'hypothèse d'une fécondation, à titre principal, par la pensée chrétienne. Aussi bien les vues suggestives de Salomon Pines exposées dans son étude capitale sur le sujet[121] appellent-elles, en même temps que la plus grande attention, des vérifications minutieuses comme y invitent les réflexions non moins suggestives d'Eliézer Schweid dans son livre que nous avons eu l'occasion de citer à plusieurs reprises.[122]

Pour ce qui est des auteurs représentatifs de cette période, de Ḥasday

120 *Juda ben Nissim Ibn Malka philosophe juif marocain*, Paris, 1954; compte rendu de Ch. Touati, *REJ* 113 (1954), pp. 73–77; "La doctrine astrologique de Juda ben Nissim", *Homenaje a Millàs Vallicrosa* II (1956), pp. 483–500; "Les observations critiques d'Isaac d'Acco sur les ouvrages de Juda ben Nissim", *REJ* 115 (1956), pp. 25–71; "Une citation kabbalistique de Juda ben Nissim", *ibid.*, 116 (1957), pp. 89–92; l'abrégé hébraïque anonyme de son ouvrage judéo-arabe *Uns al-gharîb* doit paraître dans un recueil de travaux sur le judaïsme d'Afrique du Nord dirigé par le professeur H. Z. Hirschberg de l'Université Bar-Ilan.

121 En rédaction hébraïque et anglaise: *Ha-skolastiqah she'aḥarey Thomas Aquinas u-mishnâtam shel Ḥasdaj Qresqas we-qôdmaw = Scholasticism after Thomas Aquinas and the Teachings of Ḥasdai Crescas and his Predecessors* (Jérusalem, 1967) (respectivement I, 11 et I, 10 des "Proceedings" de l'Académie israélienne des Sciences et Humanités).

122 Cf. *Ṭa'am wehaqqâshâh*, pp. 12–36 ("Existe-t-il une tradition indépendante de la philosophie juive?").

Crescas à Isaac Abarbanel, la recherche a accompli depuis 1933 des progrès fort appréciables, sans avoir vu paraître un travail de l'envergure du *Crescas' Critique of Aristotle* de H. A. Wolfson. Celui-ci a répliqué aux recenseurs de son livre (notamment Julius Guttmann et Isaac Heinemann);[123] il a apporté par la suite une nouvelle contribution à l'étude de Crescas dans un article sur le problème de l'origine de l'univers chez cet auteur,[124] tandis que Julius Guttmann a publié un travail sur le libre arbitre d'après la doctrine du même, confrontée avec les opinions des aristotéliciens musulmans.[125] S'il est préférable de ne pas s'arrêter aux pages insignifiantes que M. Abraham Goldenson[126] a cru bon d'imprimer sur Crescas, on relèvera en revanche avec la plus grande satisfaction la pénétrante introduction d'Eliézer Schweid mise en tête (et parue aussi en volume à part) d'une récente reproduction de l'édition princeps du *'Or Adonay.*[127]

M. Schweid a également présenté au public israélien cultivé (et aux lecteurs familiarisés avec l'hébreu contemporain) le traité des dogmes de Joseph Albo,[128] après avoir étudié précédemment l'esprit général de la dogmatique et la prophétologie de cet auteur.[129] On peut noter

123 "Studies in Crescas", *PAAJR* 5 (1933/34), pp. 155–175; les comptes rendus de Guttmann et de Heinemann avait été publiés respectivement dans *ZDMG* 86 (1933), pp. 225–232, et *MGWJ* 76 (1932), pp. 487–489; de son côté, J. Millàs Vallicrosa a donné un aperçu de la critique par Crescas de la physique d'Aristote, dans son livre *Estudios sobre historia de la sciencia española* (Barcelone, 1949), chap. XV, pp. 427–441.

124 "Aṣîlût weyêsh mê'ayin eṣel Qresqas", *Séfer Asaf* (Jérusalem, 1953), pp. 230–36.

125 "Das Problem der Willensfreiheit bei Hasdai Crescas und den islamischen Aristotelikern", *Jewish Studies in Memory of George A. Kohut*, 1935, pp. 325–249 (en hébreu dans *Dat u-maddāʿ*, pp. 149–168). — Pour le thème de l'amour de Dieu chez Crescas et les autres auteurs du XVe siècle, on peut voir le chapitre XI, qui demanderait à être révisé et complété, dans *L'Amour de Dieu . . .*, pp. 261–293; noter à ce propos que le commentaire d'Abraham ben Isaac Halévi sur le *Cantique des Cantiques* est maintenant publié par Léon A. Feldman, *Commentary on the Song of Songs* (Assen, 1970).

126 "Essai d'une contribution à l'étude des antécédents juifs du spinosisme. Réflexions sur quelques doctrines de Spinoza et de Hasdai Crescas", *Mélanges de Philosophie et de Littérature juives* I–II (1956–1957) pp. 95–133.

127 *Ha-fîlôsôfiyâh ha-dâtît shel Rabbi Ḥasday Qresqas* (Jérusalem, 1971); son article "Tô'ar ʿaṣmī bemishnat ha-Rav Ḥasday Crescas" paru dans *Iyyun* 15 (1965) a été repris en nouvelle rédaction dans *Ṭaʿam wehaqqâshâh*, pp. 149–171.

128 *Séfer ha-Iqârîm le-Rabbi Yôsêf Albo* (Jérusalem, 1967).

129 "Bên mishnat ha-ʿiqârîm shel R. Yôsêf Albo lemishnat ha-ʿiqârîm shel ha-RMBM" (Joseph Albo's System of Dogmas as distinct from that of Maimonides) *Tarbiz* 33 (1963/64), pp. 74–84 (sommaire anglais, p. V–VI); "Ha-nebû'âh bemishnâtô shel R. Yôsêf Albo" (The Doctrine of Prophecy in the Philosophic System of R. Joseph Albo), *ibid.*, 35 (1965/66) pp. 48–60 (sommaire p. IV-V).

ici les contributions antérieures de Max Wiener[130] et de Julius Guttmann, qui a mis en évidence des emprunts faits par Albo à Thomas d'Aquin.[131]

Parmi les auteurs de la fin de la période d'Espagne et de la génération de l'expulsion, Abraham Bibago attend encore une monographie.[132] Isaac Arama et Abraham Shalom ont connu un meilleur sort. Si son intitulé anglais est un peu trop docilement "Wolfsonien", l'ouvrage de Mme Sarah Heller Wilensky[133] constitue pour le fond une étude d'ensemble tout à fait estimable sur l'(anti-) philosophie du premier, tandis que le "maiden speach" ou presque, de H. A. Davidson,[134] qui nous a donné depuis lors des fruits plus mûrs de son activité scientifique, trace un tableau des efforts conciliateurs du second entre la pensée de Maïmonide et le fidéisme de son propre temps et milieu.

Isaac Abarbanel (Abravanel), assurément ni plus original ni plus profond que les précédents, mais plus abondant et plus ouvert que ceux-ci sur le monde extérieur, n'a pas manqué d'occuper les chercheurs et aussi les vulgarisateurs.

Des travaux publiés, à l'occasion du cinquième centenaire de sa naissance, il suffit de retenir le volume collectif paru en Grande-Bretagne[135] et les articles d'E. E. Urbach et I. Heinemann.[136]

Une monographie de valeur, oeuvre cependant d'historien au sens général du terme plutôt que d'historien des idées, a été composée sur Abarbanel par M. Ben Zion Netanyahu;[136a] les thèmes théologiques de son oeuvre ont, en revanche, donné lieu à des travaux de deux savants

130 "Der Dekalog in Josef Albos dogmatischem System", *Festschrift fuer Leo Baeck* (Berlin, 1938), pp. 107–118.

131 "Leḥêqer ha-meqôrôt shel Séfer ha-'Iqârîm", *Studies in Memory of Asher Gulak and Samuel Klein* (Jérusalem, 1942), pp. 57–65 — (= *Dar wemaddâ'*, pp. 169–191). Cf. également *L'Amour de Dieu . . .*, pp. 267–274.

132 La thèse annoncée d'Abraham Nuriel n'était pas achevée à l'heure où nous écrivions ces lignes.

133 *Rabbi Yiṣḥâq 'Arâma u-mishnâtô ha-fîlôsôfît* (The Philosophy of Isaac Arama in the Framework of Philonic Philosophy) (Jérusalem, 1956); l'ouvrage plus récent de Chaim Pearl, *The Medieval Jewish Mind* (Londres, 1971), relève plutôt de la littérature d'édification. Cf. également *L'Amour de Dieu . . .*, pp. 286–287.

134 *The Philosophy of Abraham Shalom. A Fifteenth Century Exposition and Defense of Maimonides* (Los Angeles, 1964).

135 *Isaac Abravanel. Six Lectures with an Introductory Essay*, H. Loewe (Cambridge, 1937).

136 "Die Staatsauffassung des don Isaak Abrabanel", *MGWJ* 81 (1937), pp. 257–270; "Abravanels Lehre vom Niedergang der Menschheit", *ibid.*, 83 (1938), pp. 381–400.

136a *Don Isaac Abravanel, Statesman and Philosopher* (Philadelphie, 1953) (la 3e édition, que nous n'avons pas vue, a été publiée en 1972).

formés au Hebrew Union College, Eugen Mihaly[137] et Alvin J. Reines.[138]

La philosophie juive dans l'Italie de la Renaissance a été moins bien partagée: nous ne voyons guère à mentionner, outre quelques pages que nous avons écrites sur Yoḥanan Alemano,[139] qu'une étude, d'ailleurs intéressante et, par certains aspects, neuve, de M. Bohdan Kieszkowski,[140] laquelle traite cependant d'une question marginale par rapport à l'histoire de la pensée juive, et le livre de M. Isaac E. Barzilay[141] dont seuls les chapitres concernant le XVIe–XVIIe siècle s'élèvent au-dessus d'une fâcheuse médiocrité.

Ne terminons pas ce survol rapide par l'appréciation défavorable quoique juste que nous venons d'écrire. Nous croyons sincèrement que le bilan des travaux accomplis depuis quarante ans touchant l'histoire de la pensée juive du Moyen Age est largement positif, malgré les entraves extérieures à la discipline, et aussi l'amateurisme et les préjugés idéologiques impossibles à éliminer radicalement de quelque branche que ce soit des sciences humaines. Nous sommes également convaincu que la continuité de la recherche es assurée, dans la mesure où les prévisions des mortels permettent de parier sur l'avenir. Une jeune génération, formée à Jérusalem, aux Etats-Unis, à Paris prend déjà la relève des anciens dont le temps d'apprentissage est antérieur à la deuxième guerre mondiale et à la catastrophe du judaïsme européen תחת אבותיך יהיו בניך *ex praeteritis spes in futurum.*

137 "Isaac Abravanel on the Principles of Faith", *HUCA* 26 (1955), pp. 481–522 (l'auteur y réfère à sa thèse, *The Theology and Philosophy of Isaac Abravanel,* qui date de 1951; nous ignorons si elle a été imprimée ou diffusée sous une autre forme).

138 *Maimonides and Abravanel on Prophecy* (Cincinnati, 1970) (reprise en volume, avec une introduction, d'une étude publiée en sept tranches, dans *HUCA* 31, 33–38, entre 1960 et 1967. Compte rendu de G. Vajda, *REJ* 130 (1971), pp. 383–385. Cf. également *L'Amour de Dieu ...*, pp. 288–293.

139 *L'Amour de Dieu ...*, pp. 280–285.

140 "Les rapports entre Elie del Medigo et Pic de la Mirandole", *Rinascimento* 15 (1964), pp. 41–91.

141 *Between Reason and Faith. Anti-Rationalism in Italian Jewish Thought 1250–1650* (La Haye-Paris, 1967); compte rendu de G. Vajda, *REJ* 127 (1968) pp. 419–421.

ADDENDA

La première partie du travail qu'on vient de lire avait été composée en 1971/72; la rédaction de la seconde partie remonte aux premiers mois de 1973. Pendant l'intervalle entre la correction des épreuves du premier article et sa sortie des presses, en juin 1973, puis entre la remise à l'éditeur de l'*Annual* de la seconde partie et la mise à l'impression de celle-ci, nous nous sommes aperçu de quelques oublis dont nous devons assumer la responsabilité; en même temps, notre documentation s'est quelque peu — et encore très insuffisamment — accrue. Nous tenons à reconnaître ici que nous sommes principalement redevable de cet accroissement à l'excellent manuel du Professeur Johann Maier, *Geschichte der juedischen Religion* (Berlin/New-York, 1972), dont nous n'avons pu prendre connaissance que dans le second semestre de 1973. L'information bibliographique contenue dans cet ouvrage est particulièrement riche, le revers de la médaille étant qu'elle est assez hétéroclite; elle est, en effet, présentée le plus souvent d'une manière mécanique, de sorte qu'il n'y est pas suffisamment distingué entre les contributions qui marquent un progrès dans la recherche, les travaux d'une bonne tenue, mais qui ne font que "débiter" à l'intention de leur public respectif des données connues des spécialistes ou des résults en passe de devenir le bien commun de la discipline, enfin les publications de qualité inférieure qu'il est non moins nécessaire que juste de déconseiller à l'étudiant ou à l'amateur éclairé, mais non expert en la matière.

La marche de la recherche et la diffusion de l'information, sûre ou moins sûre, ne connaissent sans doute jamais d'arrêt, si bien que tout aperçu du genre de celui que nous avons tenté ici est dépassé sinon périmé dès que l'auteur a posé la plume, et encore davantage au cours des délais qui séparent inévitablement ce moment de la parution effective de l'essai.

C'est pourquoi, désireux de ne pas trop demeurer en deçà de l'état des questions, mais sans surcharger par un grand nombre d'interpolations l'exposé déjà rédigé, nous avons choisi de mettre ce dernier à jour au moyen de notes additionnelles placées en appendice, en commençant par quelques compléments à notre premier article (Paris, novembre 1973).

HUCA 43, p. 129. Le problème du mal dans la pensée juive du moyen âge a été traité, un peu sommairement, eu égard à l'importance du thème, par H. Blumberg: "Theories of Evil in Medieval Jewish Philosophy", *HUCA* 43 (1972), pp. 149–168.

Ibid., p. 138. Sur le kalâm juif, l'auteur de ces lignes a publié une brève mise au point: "Le 'kalâm' dans la pensée religieuse juive du Moyen Age", *Revue de l'Histoire des Religions* (1973), pp. 143–160.

Ibid., p. 139, n. 80. Ajouter, du même auteur, "Le problème de la souffrance gratuite selon Yûsuf al-Baṣîr", *REJ* 130 (1972), pp. 269–322.

Ibid., 142. En octobre 1973 est parue la version anglaise, faite sur l'original arabe, des *Devoirs des Coeurs*: *The Book of Direction to the Duties of the Heart . . . Introduction, Translation and Notes by Menahem Mansoor.* Le jugement porté sur les traductions de Hyamson et de Chouraqui s'applique également à ce travail; en outre, l'introduction qui fait trop de concessions aux exigences de la vulgarisation n'apporte pas la mise à jour que l'on était en droit d'en attendre vingt-cinq ans après la publication du livre de G. Vajda, aujourd'hui dépassé par suite du progrès des études sur la pensée juive médiévale et la mystique musulmane.

Ibid., p. 144, n. 117. Nous sommes confus d'avoir omis à cet endroit l'article

du regretté D. Z. Baneth: "Lenusaḥ ha-'arbî shel ha-Kuzarî", *Ignace Goldziher Memorial Volume* II (1958), pp. 101–118.

Ibid., p. 145. A un niveau bien supérieur à la publication de M. Genizi se situe la version procurée par M. Yehuda Even Shmuel: *Sefer Hakozari* (The Kosari of R. Yehuda Halevi. Translated, Annotated and Introduced (Tel-Aviv, 1972), dont l'annotation et les index font d'ores et déjà un instrument de travail des plus utiles, en attendant le volume d'introduction à paraître ultérieurement.

Ibid. A la bibliographie des recherches sur la pensée théologique de Juda Halévi, il convient d'ajouter maintenant l'étude fort importante de M. Herbert Davidson, "The Active Intellect in the *Cuzari* and Hallevi's Theory of Causality", *REJ* 131 (1972), pp. 351–396, où l'auteur propose une interprétation nouvelle de la "chose divine" dans l'idéologie du *Kuzari*: ce terme traduirait la notion de causalité divine, en particulier la causalité qui opère dans l'émanation des formes naturelles.

Ibid., p. 147. Nous n'avions pas mentionné à cette page Abraham Ibn 'Ezra, faute d'avoir repéré des apports significatifs à l'étude de sa pensée. A l'heure actuelle, nous pouvons cependant signaler que la bibliographie de cet auteur s'est enrichie, en 1973, de deux publications dont la première est particulièrement importante en tant que mise au point des recherches sur les opinions spéculatives du grand exégète, tandis que la seconde est une contribution des plus estimables, quoique limitée dans son objet, à l'édition scientifique et à l'élucidation idéologique du commentaire sur le Pentateuque: Herman Greive, *Studien zum juedischen Neuplatonismus. Die Religionsphilosophie des Abraham Ibn Ezra* (Berlin/New York, 1973); Leo Prijs, *Abraham Ibn Ezra's Kommentar zu Genesis* Kapitel 1. *Einleitung, Edition, Superkommentar* (Wiesbaden, 1973).

Sur la "physique' de Maïmonide on peut cependant noter les articles d'Arthur Hyman, "Some Aspects of Maïmonides' Philosophy of Nature", *Atti del Terzo Congresso Internazionale di Filosofia Medievale* (tenu en 1964) (Milan, 1966), pp. 209–228, de Lottie H. Kendzierski, "Maïmonides' Interpretation of the 8th Book of Aristotle's Physics", *The New Scholasticism* 30 (1956), pp. 37–48, et de Ze'eb Bechler, "Ha-metodolôgiyah ha-munaḥat biysôd hatqâfâtô shel ha-RMBM 'al hafîsîqâh ha-'aristôṭelît" (The Methodological Basis of Maïmonides' Attack on Aristotelian Physics), *'Iyyūn* 17 (1965/66), pp. 34–41.

Il faut signaler maintenant l'excellent essai de reconstruction systématique de la "théodicée" selon le *Guide*, par A. J. Reines, "Maïmonides' Concepts of Providence and Theodicy", *HUCA* 43 (1972), pp. 169–206. Les analyses de l'auteur font ressortir, une fois de plus, l'écart entre la pensée réelle de Maïmonide et la religion du vulgaire.

MAIMONIDES' CONCEPT OF MIRACLES

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MAIMONIDES' concept of miracles, judged from appearances, occupies a relatively unimportant place in the religious philosophy he presents in the *Moreh Nevukhim.*[1] Considering the prominence in the *Moreh* of discussions devoted to God, creation, prophecy, providence and salvation, seemingly little significance is attached to miracles. Such a judgment though would be erroneous. No subject in the *Moreh* is of greater consequence or more pervasive than that of miracles. It is rooted in the concept of God, and touches every other principal theme. Maimonides' concept of miracles is important not only for comprehending his total religious philosophy, but also for evaluating his coherence as a thinker. The treatment of miracles in the *Moreh* presents the reader with a disconnected mélange of diverse statements. It is true that the *Moreh* is a document intended to present an interpretation of Judaism that is to be kept secret from the philosophically uneducated masses, and that such an esoteric work will, of necessity, contain contrived obscurity.[2] Yet, even taking this factor into account, Maimonides' treatment of miracles might still convey the impression of an author whose emotional and character inadequacies overcame his intellect, resulting in a religious philosophy of unintegrated eclecticism in which rationalistic and naturalistic philosophic concepts are arbitrarily joined to nonrationalistic and supernaturalistic scriptural concepts.[3] Maimonides, consequently, owing to human frailty, would thus be judged as having failed to solve the essential problem he set himself in the *Moreh*: to demonstrate there is

1 The *Moreh Nevukhim* will henceforth be referred to in the text as the *Moreh* and in the notes as *MN*. The following translations have been used: S. Munk, *Le Guide des Égarés* (Paris, 1856); and S. Pines, *The Guide of the Perplexed* (Chicago, 1963). These translations have been altered when deemed necessary for general comprehension. But, by and large, the quotations are from the translation by Pines. M. Friedländer's *The Guide of the Perplexed* is more a paraphrase than a translation and is employed as the former.

2 See Maimonides' Introduction to Part I of the *MN*.

3 Cf., e.g., the criticism of I. Husik, *A History of Medieval Jewish Philosophy* (Philadelphia, 1946), pp. 274–276.

a religion named Judaism that coherently embraces the truths of Scripture and philosophy.[4] In the following study, the position is developed that Maimonides' concept of miracles, although tortuous and complex, is nonetheless ultimately consistent with the basic Maimonidean rationalistic religious philosophy. The study is divided into four parts: Maimonides' apparent concept of miracles; qualifications and contradictions relating to the apparent concept leading to Maimonides' real concept of miracles; the method of nonessentialization; reconciliation and the esoteric teaching.

I

Maimonides provides no discussion in the *Moreh* devoted exclusively or primarily to the subject of miracles.[5] In the second part of the *Moreh*, however, a concept of miracles emerges as part of a general theology of creationism.[6] This concept of miracles will be referred to as Maimonides' "apparent concept of miracles." The reason for this designation is that the concept is stated in such a manner as to give the impression that it is Maimonides' true view of miracles, whereas examination of other, less obvious passages in the *Moreh*, requires that this impression be subjected to fundamental reassessment.[7] To define the apparent concept of miracles, it is necessary to begin with the theology of creationism upon which it is based.

This theology of creationism[8] comes not only as a discourse on Maimonides' view of cosmogony, but as a critique as well of the Aristotelian theology of eternalism,[9] and, to a lesser extent, of the Platonic theology

4 Critically considered, there are a number of different religious systems that go by the name "Judaism." What is meant here by Judaism is Maimonidean Judaism, which is the religion taught in Scripture and the Talmud as Maimonides interprets them. Maimonides does not understand his work to be a synthesis of Judaism and philosophy, rather an explanation that shows Judaism already contains the truths of philosophy.

5 As he does, e.g., in the cases of prophecy, providence, etc.

6 *MN*, II, 13–25. This is followed by an epilogue of sorts, 26–29, in which Maimonides argues that the universe, although created, is eternal *a parte post.* In this Judaism agrees with Aristotle. Judaism's disagreement with Aristotle is that he also maintains the eternity of the universe *a parte ante.* The term "creationism" refers to *creatio ex nihilo.* The expression "preexistent creationism" is used to refer to creation of the universe from a preexistent matter.

7 H.A. Wolfson, "Hallevi and Maimonides on Design, Chance and Necessity," *Proceedings of the American Academy for Jewish Research,* XI (1941), p. 161, takes what is termed here "Maimonides' apparent concept of miracles" as Maimonides' real concept of miracles.

8 I.e., the theory of creationism in *MN*, II, 13–25. Maimonides presents alternative cosmogonies as will appear in the course of this study.

9 Not only Aristotle, but various Aristotelian schools are included in this critique; *MN*, II, 13 (third opinion).

of preexistent creationism.[10] In the Aristotelian theology, God and universe are both conceived of as eternal. No creative or emergent innovative change in existence ever occurs. Deity never changes at all. It is impossible for deity to become nonexistent or for his essence or will to change; neither can a new volition arise within him. The universe as a whole does not change, although there are local changes within the totality. The individual spheres that together with the Intelligences constitute the heavens move repetitively but never go out of existence; motion and time are eternal; and the sublunar world is constituted of prime matter that produces transient individuals by taking on successive new forms, but the matter and forms are themselves all eternal. Moreover, even regarding the change that does take place in the universe there is an unchangeable aspect, in that all change occurs in accordance with the immutable laws of nature. Existence, for Aristotle, therefore, "is never disturbed or interrupted, and nothing is produced contrary to the laws or the ordinary course of nature;" existence "has always been the same in the past, and will be the same eternally."[11] In the Platonic theology, deity is conceived of as eternal, but the universe is viewed as created. God, however, cannot produce existence *ex nihilo;* the universe, therefore, was created from a preexisting matter that is itself eternal. Creative and emergent innovative change, consequently, has occurred in the past and can occur in the future. Deity has the power to destroy the present heavens and earth, and bring new beings into existence. Still, God cannot annihilate the underlying eternal matter, and it must, of necessity, be used to constitute any new universe He may wish to fashion.[12]

In opposition to the Aristotelian and Platonic views, Maimonides sets forth a theology of creationism that vigorously asserts a doctrine of *creatio ex nihilo.* God alone has existed from eternity. Nothing has coexisted eternally with Him: neither the Intelligences and spheres; bodies such as the stars embedded in the spheres; nor first matter, motion, and time.[13] Beyond the power of eternal existence, God possesses free will and wisdom.[14] Since God is a perfect simplicity, His essence, will, and wisdom are one. In the course of His eternal duration, out of His wisdom and by His free choice, God willed the creation of the universe. We do not know why God's wisdom decided to create the universe at one time rather than another, but regardless, the will to create produced no change in God even though He created after not creating. God can will different

10 Plato is the chief exponent of this view, according to Maimonides, but he includes everyone generally who takes this position; *MN*, II, 13 (second opinion).

11 *MN*, II, 13. Friedländer (supra, n. 1), Part II, p. 66.

12 *MN*, II, 13.

13 *MN*, II, 13, 17.

14 *MN*, II, 13; S. Munk (supra, n. 1), Part II, p. 105.

things at different times without occasioning a change in His essence.[15] The creation of the universe with wisdom means God acted intentionally, with purpose and by design.[16] Accordingly, God created the universe from absolute nonexistence. For free creation by design presupposes not only that deity has a choice of creating the universe or not, but a choice as well of creating the universe according to alternative designs. Action by design can only take place with respect to something that does not yet exist, and which may exist in alternate ways.[17] The universe as it is, therefore, does not exist of necessity, but as the free choice of God's wisdom deciding among alternatives.

The principle of free creation by design is the fundamental issue dividing Maimonides from the Aristotelians. In their theology of eternalism, the Aristotelians maintain that every event in the universe is caused by deity according to natural necessity. God himself may be understood to be subject to the determinism of the laws of nature.[18] Consequently, since existence for the Aristotelians is the result of necessity rather than design, the universe must exist, and it must exist eternally in exactly the way it does in fact exist.

> It is the evident result of the system of Aristotle—as well as the system of all who profess the eternity of the world—that according to him the universe has proceeded from the Creator by necessity; that He is the cause and this world the effect, and it was necessary that this should be so . . . . For it is necessary that all this exist thus, both cause and effect, and it is impossible for them not to exist or to change from the way they exist. It follows then from this opinion that everything must always keep the nature that it has, and nothing can change its nature in any way. According to this opinion, a change of the nature of some existing thing is impossible, and consequently, no thing has come into existence by the design of a being possessing intention who has chosen freely that all things should be as they are. For if they had come into existence by such a design, they would not have existed in the manner they do before the design had been decided upon.[19]

Deity, therefore, according to Aristotle, cannot bring about any deviation or innovation in the natural order: "if He wished to lengthen a fly's wing or shorten an insect's foot, He could not do it."[20]

15 *MN*, II, 18.
16 *MN*, II, 19, 21. Cf. Wolfson (supra, n. 7), p. 129.
17 *MN*, II, 20.
18 *Ibid.*
19 *MN*, II, 19; cf. Munk (supra, n. 1), II, 145, n. 2.
20 *MN*, II, 22.

The creation of the universe, Maimonides says, took place over a period of time rather than instantaneously. During this period, two different systems of causation, both originating in God and producing effects external to Him, came into existence. The primary system is causation in which deity by a free act of creation produces the effect either directly or through nonnatural intermediation.[21] The secondary system is causation in which nature or the laws of nature produce the effect. The secondary system of natural causation was itself produced by the primary system when God created the universe of which nature is part. Thus the events produced by the secondary system of natural causation are equally willed by God as are those resulting directly or through nonnatural intermediation from the primary system. In view of the fundamental relationship both these systems of causation have to the deity, the primary system of free creation by deity may be referred to as the special will of God, and the secondary system, natural causation, the general will of God.[22]

From the time the process of the creation of the universe out of absolute nonexistence was begun until it was completed, the special will of God, rather than natural causation, was in control of its emerging existence. Events, therefore, that would be considered impossible when judged by natural necessity may be considered to have occurred generally before the creation of the universe was completed.[23] Among these naturally impossible events, Maimonides refers to the following: God "by His free will brought into existence out of nothing all the beings as they are;"[24] and the "heaven was generated out of nothing after a state of absolute nonexistence."[25] Even beings that in nature must exist in an organic unity and cannot exist independently could do so in the interim period before creation was completed:[26] "It is not absurd for us if someone

21 In the primary system of causation it would seem that *creatio ex nihilo* is always involved since the will of God alone is the essential cause of the effect. On the other hand, in natural causation every effect is produced by or originates in some natural object or condition.

22 In *MN*, II, 10, Maimonides equates "nature" with אלאמר אלאלאהי, "the divine thing." Pines (supra, n. 1) provides the translation "divine decree" as an alternative, p. 272, n. 11; and Friedländer (supra, n. 1) has "Divine Will." The essential point is that for Maimonides deity wills the action of nature.

23 Maimonides takes the position that the state of the universe during the period of its creation cannot be judged from the properties it has after creation has been completed, *MN*, II, 17.

24 *MN*, II, 13.

25 *Ibid.*

26 Cf. *MN*, I, 72, "It is impossible that one part of the universe should exist independently of the other parts in the existing order of things . . . The earth without the heaven, or the heaven without the earth"; tr. Friedländer (supra, n. 1) I, p. 298; and cf. n. 4.

says that the heavens were generated before the earth or the earth before the heavens, or that the heavens have existed without stars or that a particular species of animals has existed without another species being in existence. For all this applies to the period when this universe was being formed."[27] Moreover, the primary system of causation, God's free action, continues to be the ground of natural causation even after the universe has been established, so that God, therefore, if He chooses can annihilate the universe and the laws of nature that govern its existence whenever He pleases to do so.[28]

Despite Maimonides' forceful exposition of his theology of creationism,[29] he concedes there is no more real proof for his position than there is for Aristotle's theology of eternalism. "To our mind, it has been established that regarding the question whether the heavens were created or are eternal, neither of these two contrary hypotheses can be demonstrated."[30] Consequently, in his exposition, Maimonides' purpose was not to refute Aristotelian eternalism and prove his own view exclusively true, but to make a case on rational and empirical grounds for creationism as an equally if not more acceptable cosmogonic theory. It is unnecessary in this study to enter into the details of the philosophic arguments Maimonides employs. Briefly stated, Maimonides takes a twofold approach: he first attempts to undermine the Aristotelian arguments against creation out of nothing, and he then attempts to show that creation by design provides a superior explanation of the heavenly phenomena revealed by astronomical observation.

The arguments of the Aristotelians against creation out of nothing are all based on the present natural characteristics and laws of the universe. Maimonides contends, however, that these existing natural properties themselves were produced from nonexistence, and their present condition therefore provides no certain evidence for the state of affairs that existed before their creation. A being created from nothing, such as the universe, can be given properties from which it may be indubitably inferred that the being is eternal; but this certainty comes because the possibility has not been entertained that the being and its properties were created out of nothing, and any evidence derived from it about its origins, therefore, cannot be accepted as certain.

> Aristotle begins to contradict us and argues from the nature of existence that has attained a final and perfect state, and has achieved

27 *MN*, II, 17.

28 *MN*, II, 27. It is Maimonides' view, however, that God will not choose to annihilate the universe.

29 As presented in *MN*, II, 13–25.

30 *MN*, II, 22; cf. 15, 17.

> actuality; whereas we, we declare to him that after existence has attained its final state and become perfect it does not at all resemble the state it was in at the time of being generated, and that it has been produced from absolutely nothing .... If Aristotle, I mean to say someone who adopts his opinion, should argue against us saying: "If no proof can be derived from this universe,[31] then how do you know that it has been created and that there is another (divine) nature (i.e., God[32]) who has created it?" We would respond: "This does not relate at all to our true purpose. We do not wish at this time to prove as true that the universe has been created. Rather that which we wish to show is that it is possible that it has been created; and this assertion cannot be proved false by argumentation from the nature of that which exists... When the possibility of this assertion has been established, as we have made clear, we will then seek to show the superiority of the opinion of creation.[33]

Maimonides' efforts to show the "superiority of the opinion of creation" are based primarily on two groups of astronomical phenomena that he claims free creation by design explains more satisfactorily than does eternalism.[34] The first group of astronomical phenomena concerns the spheres: a) the outermost sphere moves from east to west; b) some spheres move with greater velocity than others; c) there are several spheres for each of the planets, but only one sphere for the great number of fixed stars. The second group of astronomical phenomena concern the stars: a) stars are very different bodies from the spheres in which they are embedded; b) stars exist only in the eighth sphere—they are all spherical but vary in size; c) the stars are distributed unevenly in the sphere—many are gathered together in some parts of the sphere, a few in another part, and still another part of the sphere has no stars. Maimonids' critique of Aristotle's eternalism is basically this. According to Aristotle's theology of eternalism, the only system of causation is natural causation in which all phenomena are regulated by the laws of nature. In dealing with the astronomical phenomena described above, however, Aristotle has failed to explain the various facts they present in the co-

31 I.e., what proof can man have except from this universe? Maimonides himself admits that proof for the existence of God must come from existing things, *MN*, I, 76.

32 Cf. Munk (supra, n. 1), II, 137, n. 2.

33 *MN*, II, 17. I have juxtaposed two passages from different parts of chapter 17 in this quotation to bring out their meaning more clearly.

34 These arguments are taken from MN, II, 19, in which Maimonides declares that the arguments given here from the spheres and the stars provide "the best proof for design in the universe." In II, 24, Maimonides provides additional argumentation for creation by design.

herent, systematic way that an explanation based upon natural causation requires. He cannot account acceptably for the direction in which the spheres move, for their different velocities, or for the distribution of planets and stars to spheres. Similarly, there are no rational answers given to the problems raised by the stars: how the union of such different bodies as the stars and spheres came about; why the stars are so numerous in the eighth sphere; why in a uniform body such as a sphere one portion has many stars and another none, while some stars are large and others small.

Maimonides argues, consequently, that inasmuch as the astronomical questions that have been raised cannot be answered by a cosmogony of eternalism such as Aristotle proposes, it should be replaced by a cosmogony of creationism which can. The difficulty with eternalism is that it allows for only one system of causation, natural causation, which is unable to provide a coherent explanation of the heavens. If we assume with Aristotle that everything is necessarily caused by God according to the laws of nature, and no natural explanation of the heavens is acceptable, then we are left without any coherent explanation of the superlunar world at all. A cosmogony of creationism, however, provides an opportunity for explanation because it asserts two causal systems operative in the universe, free creation by design, the special will of God, and natural causation, the general will. In the case of the heavens, when the natural explanation fails, the special will of God still remains as a consistent theory accounting for the astronomical irregularities that have been observed. To the questions regarding the spheres, Maimonides says, the answer may be given "that there is a being (God) who has determined as it wishes the direction and rapidity of motion (of each sphere)." Similarly, the answer to the problems relating to the stars is that "it all is due to the design of a being (God) acting with intention who made it thus." The only difficulty that then remains is that we cannot know what the wisdom or design of God might have been in making the spheres and stars as they are.[35]

In the course of his exposition on cosmogony in chapters thirteen through twenty-five (Part II) of the *Moreh*, Maimonides gives four principal reasons for accepting his theory of creationism over eternalism. The most prominent of these has been discussed. This is that creationism is a philosophic theory superior to eternalism in that creationism offers a coherent explanation of various astronomical irregularities that are left unaccounted for by eternalism. Still, despite the elaborate argumentation

35 *MN*, II, 19. The contents of the preceding paragraphs constitute generally a selective conceptual reconstruction of II, 19, to show its relation to Maimonides' apparent concept of miracles.

he presents, Maimonides is careful to state that philosophically speaking he has neither proved creationism nor disproved eternalism.[36] He has simply made three points: a) that creationism is not rationally impossible; b) that the arguments against creationism are inconclusive; c) that certain physical phenomena are better explained by creationism than by eternalism, which by no means establishes creationism as correct however.[37] So far as philosophic speculation is concerned, therefore, the question of creationism or eternalism remains open, with either opinion possible.[38] Thus lacking philosophic proof, Maimonides offers three other reasons for subscribing to creationism. These are that prophets such as Moses and Abraham held and taught creationism; creationism is a fundamental principle of the Mosaic religion; and finally, a belief in eternalism tends to be dangerous and harmful for the proper belief that should be held regarding God.[39]

Without entering into the details of Maimonides' concept of prophecy, the significance of his statement that the teachings of the prophets may be taken as a reason for accepting creationism is this.[40] For Maimonides, metaphysical or theological knowledge[41] can be attained in two ways, through philosophy or prophecy. Both use reason, but differ in their methods. Philosophy employs the common epistemological procedures of empirical observation, intuition such as is used ordinarily in apprehending first principles, and syllogistic reasoning. Prophets do not employ these procedures to acquire their knowledge even though they are aware of them inasmuch as a mastery of philosophy is a prerequisite of prophecy. Prophetic knowledge is apprehended immediately in a special act of intuitive reasoning essentially different from ordinary intuition.[42] Since prophetic knowledge is grasped immediately, there are no intermediate steps leading to the prophet's conclusions that can be communicated to others so that they might retrace the prophet's thinking and thereby assent to the prophet's conclusions on the basis of their own reasoning.[43] The nonprophet simply must accept the prophet's word for

36 *MN*, II, 16, 22.

37 *Ibid.*

38 *MN*, II, 16.

39 *MN*, II, 16, 22.

40 See A.J. Reines, "Maimonides' Concept of Mosaic Prophecy," *HUCA*, XL-XLI (1969–1970), pp. 338–344.

41 I.e., prophecy provides theological knowledge equally as rational as that of philosophy; prophecy simply includes the truths of philosophy and goes further because it is a superior rationality. Cf. A. J. Reines, *Maimonides and Abrabanel on Prophecy* (Cincinnati, 1970), pp. xxxv-xliv.

42 See Reines (supra, n. 40), p. 341, n. 51.

43 Maimonides, in *MN*, II, 40, recognizing the inability to verify a prophet's teaching per se, attempts to provide visible grounds for judging whether someone is a prophet, as, e.g., by his moral conduct.

what he claims to be true. *Creatio ex nihilo,* according to Maimonides, is a belief that can be arrived at rationally only by prophetic intuition.[44] Accordingly, he says, inasmuch as philosophic reasoning is inconclusive regarding the ultimate questions of cosmogony, we should accept a belief in creationism on the authority of the prophet's teachings since they achieved a level of rational knowledge far superior to our own.

We arrive then at the other two nonphilosophic reasons Maimonides offers for accepting creationism: that it is a fundamental belief of Mosaic religion; and that a belief in eternalism is dangerous for proper belief regarding deity. Integral to these two points is the view of miracles that has been termed Maimonides' apparent concept of miracles. Maimonides' full reasoning is best examined in relation to the text of chapter twenty-five (Part II) of the *Moreh,* which is the capstone of the theology of creationism he has developed in the preceding chapters.

> Know that our avoiding the affirmation of the eternity of the world is not due to a text figuring in the Torah according to which the world has been created. For the texts indicating that the world has been created are not more numerous than those indicating that the deity is a body. Nor are the gates of figurative interpretation closed to us or impossible of access to us regarding the subject of the creation of the world. For we could interpret them as figurative, as we have done when denying His corporeality. Perhaps this would even be much easier to do: we should be very well able to give a figurative interpretation of those texts and to affirm as true the eternity of the world, just as we have given a figurative interpretation of those other texts and have denied that He, may He be exalted, is a body.
>
> Two causes are responsible for our not doing this or believing it. One of them is as follows. That the deity is not a body has been demonstrated; from this it follows necessarily that everything that in its literal meaning disagrees with this demonstration must be interpreted figuratively, for it is known that such texts are of necessity subject to figurative interpretation. However, the eternity of the world has not been demonstrated....
>
> The second cause is as follows. Our belief that the deity is not a body destroys for us none of the foundations of our religion and does not give the lie to that which has been proclaimed by the prophets. The only objection to it is constituted by the fact that the ignorant think that this belief is contrary to the text (of Scripture); yet it is not contrary to it, as we have explained, but is intended by the text. On the other hand, the belief in eternity the way Aristotle sees it—that is, the belief according to which the

44 See Reines (supra, n. 40), pp. 345 f.; cf. II, 24, also Munk (supra, n. 1), II, pp. 194 f., n. 4.

world exists in virtue of necessity, that no nature changes at all, and that the customary course of events cannot be modified with regard to anything—destroys the base of religion, necessarily gives the lie to every miracle, and repudiates all that religion makes us hope and fear, unless—by God!—one interprets the miracles figuratively also, as was done by the Islamic allegorists; this, however, would result in some sort of absurdities.

If, however, one believed in eternity according to the second opinion we have explained—which is the opinion of Plato—according to which the heavens too are subject to generation and corruption, this opinion would not destroy the foundations of religion and would not be followed by the lie being given to miracles, but by their becoming admissible. It would also be possible to interpret figuratively the texts in accordance with this opinion.... However, no necessity could impel us to do this unless this opinion were demonstrated. In view of the fact that it has not been demonstrated, we shall not favor this opinion, nor shall we at all heed that other opinion, but rather shall take the texts according to their literal sense and shall say: Religion[45] has given us knowledge of a matter the grasp of which is not within our power, and the miracle attests to the correctness of our claims.[46]

Know that with a belief in the creation of the world, all the miracles become possible and (the Revelation of) the Law becomes possible, and all questions that may be asked on this subject, vanish. Thus it might be said: Why did God give this Law to this particular nation, and why did He not legislate to the others? Why did He legislate at this particular time, and why did He not legislate before it or after? Why did He impose these commandments and these prohibitions? Why did He privilege the prophet with the miracles mentioned in relation to him and not with some others? What was God's aim in giving this Law? Why did He not, if such was His purpose, put the accomplishment of the commandments and the nontransgression of the prohibitions into our nature? If this were said, the answer to all these questions would be that it would be said: He wanted it this way; or His wisdom required it this way. And just as He brought the world into existence, having the form it has, when He wanted to, without our knowing His will

45 The term אלשריעה̈, which is here translated "religion," has the basic meaning in the *MN* of a religion that is constituted of a revelation of the divine will in the form of commandments expressed as law, and refers usually to the Mosaic law. In different contexts, for the purpose of clarity, אלשריעה̈ has been translated as "religion" or "Law." It is also what is meant by the term "Mosaic religion."

46 Friedländer (supra, n. 1), II, p. 119, n. 4 explains that "the miracle" here attests to eternalism being incompatible with the teaching of the Bible. This appears incorrect. Maimonides is saying rather that miracles attest to the correctness of *creatio ex nihilo*, which is the knowledge religion has given us.

> with regard to this, or what the wisdom was that particularly made him choose the forms of the world and the time of its creation—in the same way we do not know His will or the requirement of His wisdom that caused all the matters, about which questions have been posed above, to be determined. If, however, someone says that the world is as it is in virtue of necessity, it would be a necessary obligation to ask all those questions; and there would be no way out of them except through recourse to unseemly answers in which there would be combined the giving the lie to, and the annulment of, all the literal meanings (of the texts) of the Law with regard to which no intelligent man has any doubt that they are to be taken in their literal meanings. It is then because of this that this opinion is avoided and that the lives of virtuous men have been and will be spent in investigating this question. For if creation were demonstrated—if only as Plato understands creation—all the rash claims made against us on this point by the philosophers would become void. In the same way, if the philosophers would succeed in demonstrating eternity as Aristotle understands it, religion as a whole would become void, and a change to other opinions would take place, I have thus explained to you that everything is bound up with this problem. Know this.[47]

Analyzing the contents of chapter twenty-five, we find Maimonides lays down the general principle that Mosaic religion requires the affirmation of a theology of creationism and the rejection of eternalism. In eternalism, God is subject to the laws of nature, and as a consequence, no nonnatural event has ever occurred or can ever occur. If this were the case, says Maimonides, then three beliefs basic to Judaism, would be false. These beliefs are: the revelation of the Law; the miracles reported in Scripture; and providence, which brings the hope of reward or the fear of punishment according as man obeys God's commandments.[48] Since these three beliefs must be rejected if eternalism and its necessary naturalism are true, we may conclude that revelation, miracles, and providence are all nonnatural events.[49] Consequently, Mosaic relig-

47 *MN*, II, 25.

48 The phrase "all that religion makes us hope and fear" refers to the rewards and punishments dispensed by divine providence.

49 It is possible to consider all events produced by God outside nature as miracles, so that prophecy and providence produced nonnaturally would then be miracles. However, Maimonides distinguishes miracles proper from nonnatural prophecy and providence. Miracles proper refer generally to a change of some physical power or property by an interruption of the laws of nature. However, it should be borne in mind that the analysis of chapter 25 presented here does not provide us with the true meaning of the chapter, but one that gives us Maimonides' apparent concept of miracles. According to the apparent concept of

ion presupposes a theology of creationism in which God by His special will brings the universe and laws of nature into existence *ex nihilo*, and who can, therefore, suspend these laws or otherwise produce nonnatural events as He wishes. Moreover, creationism provides a basis for justifying the claim that Mosaism is the supreme religion. The supremacy of Mosaism is based upon a series of unique circumstances: that the law was revealed to a particular prophet; to a particular people; and that this Law has been revealed only once, and never again, before or after.[50] None of these circumstances can be explained by the naturalism of eternalism. In the eternity of natural causation there is no uniqueness; all events that have been produced in the infinite past can occur in the infinite future again. If a revelation of knowledge such as came to Moses was produced naturally, then equal or even superior knowledge could come to someone else. Moreover, how can a naturalism account rationally for the particular commands and prohibitions the Law imposed; and (if miracles are naturally possible) why are only certain miracles ascribed to any given prophet? Furthermore, what, according to a naturalism, would be the divine purpose in producing the Mosaic religion; and if nature wanted us to follow Moses' commandments, why were they not simply made part of human nature? None of these difficulties appears, says Maimonides, in a theology of creationism. For the answer to all these questions that are naturally inexplicable is that God, who by His wisdom freely created the universe with a certain form and at a certain time for reasons we are unable to understand, also freely willed all these particular events. Thus the full significance of Maimonides' two final reasons for insisting upon creationism is clear. Creationism is a fundamental belief of Mosaic religion because the uniqueness and truth of Judaism are based upon it. And eternalism is dangerous for proper belief regarding deity because, in addition to all else, it removes from God the power of exercising supernatural providence, which frees the masses from the fear of divine punishment that helps to keep their brutish and lustful appetites under social control.[51]

The foundations of Maimonides' apparent concept of miracles are an integral part of the theology of creationism that appears in the foregoing discussion. Still, an explicit description remains to be stated. A miracle, according to Maimonides' apparent concept of miracles, is an event that

miracles then, this chapter speaks of three nonnatural events, miracles proper, prophecy, and providence. See infra, pp. 281 ff. for the true meaning of chapter 25.

50 On the reasoning that only nonnaturalism could make the revelation of the Law unique, see Reines (supra, n. 41), pp. 25 f.

51 I.e., the connotation of "dangerous" for proper belief regarding deity is that the common people will not fear divine providence and consequently behave in a way dangerous for society.

is produced by the special will of God, who, having created the universe *ex nihilo*, has the power to bring into existence without natural causation whatever He wishes and to suspend or otherwise interrupt natural causation wherever and whenever He pleases. Furthermore, according to the apparent concept of miracles, nonnatural events are of two kinds: miracles proper, which occur once or for a limited period of time, and usually produce changes in the natural properties of physical objects;[52] and such ongoing or repetitive events as prophecy and providence.[53] Finally, according to the apparent concept of miracles, all the miracles reported in Scripture are to be understood as having literally occurred.[54]

Several references are made by Maimonides to miracles that illustrate the apparent concept of miracles and serve to strengthen the impression that this concept represents his true view. Regarding the signs Moses employed to establish his authenticity as a prophet of Yahveh, Maimonides states:

> I have said that a thing does not change its nature in such a way that the change is permanent merely in order to be cautious with regard to the miracles. For although the rod was turned into a serpent, the water into blood, and the pure and noble hand became white without a natural cause that necessitated this,[55] these and similar things were not permanent and did not become another nature. But as they, may their memory be blessed, say: The world goes its customary way.[56]

Maimonides takes the appearance of manna as one of the greatest miracles:

> It is well known that it is impossible and inconceivable that a miracle last permanently throughout the succession of generations so that all men can see it. Now one of the miracles of the Law, and one of the greatest among them, is the sojourn of Israel for forty years in the desert and the finding of the manna there every day. For that desert was, as is stated in Scripture, a place "wherein were serpents, fiery serpents, and scorpions, and thirsty ground where there was no water."[57] Those are places that are very remote from cultivated land and unnatural for man; "it is no place

52 As, e.g., water changing into blood.

53 The distinction between the revelation of the Law and miracles as though the revelation was not a miracle is criticized by H. Crescas and I. Abrabanel; see Reines (supra, n. 41), pp. 78 f.

54 Chapter 25 states, "*all* the miracles become possible."

55 Exodus 4:1–9.

56 *MN*, II, 29.

57 Deuteronomy 8:15.

> of seed or of figs or of vines or of pomegranates, and so on."[58] It is also said of it that it is "a land that no man passed through, and so on."[59] The text of the Torah states: "Ye have not eaten bread, neither have ye drunk wine or strong drink, and so on."[60] All these are manifest visible miracles. Now God, may He be exalted, knew that in the future what happens to traditional narratives would happen to those miracles: People would think that [the Children of Israel] sojourned in a desert that was near to cultivated land and in which man can live, like the deserts inhabited at present by the Arabs, or that it consisted of places in which it was possible to till and to reap or to feed on plants that were to be found there, or that it was natural for the manna always to come down in those places, or that there were wells of water in those places. Therefore all these fancies are rebutted and the traditional relation of all these miracles is confirmed through the enumeration of those stations, so that men to come could see them and thus know how great was the miracle constituted by the sojourn of the human species in those places for forty years.[61]

II

Maimonides has thus developed a theology of creationism that climaxes with his apparent concept of miracles, that, given God's free creation of the universe out of nothingness, all the miracles described in Scripture may be affirmed to have occurred in reality. Whereas the apparent concept of miracles emerges in an obvious, almost systematic manner, the passages in which Maimonides qualifies or contradicts this concept are placed obscurely throughout the *Moreh*. In this section, these various passages and their relation to the apparent concept of miracles will be considered.

A. Maimonides' primary qualification of the apparent concept of miracles arises from his view of the nature of God's power. All events in the universe are caused ultimately by deity.[62] Accordingly, if nonnatural events such as miracles arise, God must have the power to produce events in the universe by means other than natural causation. If deity, consequently, for whatever reason, should be limited to producing events by natural causation alone, or to producing only certain kinds of nonnatural events, then miracles either cannot occur, or only certain kinds of miracles can occur. From Maimonides' discourse on creationism,[63]

58 Numbers 20:5.
59 Jeremiah 2:6.
60 Deuteronomy 29:5.
61 *MN*, III, 50.
62 *MN*, II, 48; *et al.*
63 *MN*, II, 13–25.

the impression is gained that God not only produced all the miracles reported in Scripture, but could bring about any nonnatural event conceivable or imaginable—the logic being that God, having created all existence and the laws of nature out of nothingness, has nothing external to himself to prevent absolute control over his own creation.[64] In point of fact, this absolute view of God's power is rejected by Maimonides. God, he says, cannot do the impossible.[65] The impossible provides a general limit on God's power.

> The impossible has a permanent and constant nature which is not the work of an agent, and which cannot be changed in any way. Consequently, the power of doing what is impossible is not attributed to God. This is a point regarding which none of the thinkers[66] differs in any way; and only those who do not understand intelligible notions[67] are ignorant of this.[68]

The fact that God cannot do that which is impossible, Maimonides contends, does not mean that He is not omnipotent; omnipotence does not mean the ability to do the impossible.

> It has then become clear that, according to every opinion and school, there are impossible things whose existence cannot be admitted. Power to bring them about cannot be ascribed to the deity. The fact that He does not change them signifies neither inability nor deficiency of power on His part.[69]

Regardless of the semantics of omnipotence and whether a deity who cannot do the impossible is to be termed omnipotent, the fact that God is limited to the possible means there are certain things He cannot do. The question immediately arises in this regard: by what means is that which is possible and impossible for God determined? Two faculties, the

64 Still, according to Maimonides, miracles are possible in preexistent creationism; *MN*, II, 25. However, he says it would then be necessary to understand them differently and reinterpet Scripture figuratively.

65 Maimonides does allude in the course of his exposition of creationism to his belief God cannot do the impossible (*MN*, II, 19), but it is noted unobtrusively and would make little impression on the reader. Maimonides never relates the subject of divine impossibility to the question of God's ability to work miracles, which perhaps accounts for its having been overlooked. Munk (supra, n. 1), III, 105, n. 1 does observe that the question of divine impossibility is pertinent to the subjects of omniscience and providence.

66 Literally: men of speculation; cf. Munk (supra, n. 1), III, p. 105, n. 2.

67 Such as the laws of thought; cf. Munk (supra, n. 1), III, p. 105, n. 1.

68 *MN*, III, 15.

69 *Ibid.*

imagination and the intellect, present themselves to Maimonides as potential answers to this question. If the imagination provides the test of divine possibility, then God can do anything imaginable, whether the action can be conceived by the intellect or not. If the intellect is the test, then the possible is only that which is logical and rational. There is no way, Maimonides concludes, to decide with certainty which of these faculties is the true determinant of divine possibility. Moreover, assuming that we decide in favor of the intellect as the criterion of the possible, how can we know with certainty when a conclusion has been reached regarding some divine action as possible that the decision came through the intellect and not the imagination? What distinguishes ideas that come through intellectual thinking from those resulting from imaginative thinking? Is it the intellect that decides this, or some psychic faculty different from both the intellect and the imagination? Maimonides is unable to arrive at a definite conclusion.[70]

> Would that I knew whether this gate is open at the pleasure of everyone, so that anyone can claim and assert with regard to any notion whatever he may conceive that it is possible, whereas someone else maintains that by its very nature it is impossible. Or is there something that shuts this gate and prevents entry so that a person is obliged to declare decisively that such a thing is impossible by its nature."[71]

Despite Maimonides' admission that he is unable to decide with certainty the psychic faculty whereby the possible is determined,[72] he commits himself to the conclusion that this faculty is the intellect.[73] This means that the possible is the logical and rational whereas the illogical and irrational, no matter how convincing a fantasy may be to the imagination, has no existence in reality. Still, there is no absolute certainty on the question of the possible among thinkers. Philosophers simply choose arbitrarily positions on the possible that seem correct to them. Disagreements among thinkers consequently arise. The fundamental disagreement between Maimonides and other philosophers is over the question whether *creatio ex nihilo* is possible. In fact, it may well be said that for Maimonides the three major cosmogonies arise from different resolutions of the issue of the possible.[74] The Platonic and Aristotelian philosophers contend it is impossible for God to create the universe out of

70 *Ibid.*, cf. Munk (supra, n. 1), III, p. 107, n. 3.
71 *MN*, III, 15. The impossible is equally impossible for God and man.
72 *Ibid.*
73 *MN*, I, 73.
74 *MN*, II, 13.

nothing; Maimonides maintains it is possible. The issue of creationism aside, Maimonides is in substantial agreement with all philosophic thinkers regarding that which is impossible. The following points receive general affirmation as impossible, and cannot be accomplished by God or man.

a) Contraries cannot exist together in the same subject at the same time and the same place;[75]

b) The transmutation of substances is impossible, that is, the transformation of a substance into an accident and of an accident into a substance;

c) A corporeal substance cannot exist without accidents;

d) God cannot create a being equal to Himself;

e) God cannot annihilate Himself;

f) God cannot become a body;

g) God cannot change;

h) A square cannot be produced whose diagonal is equal to one of its sides; and similarly a corporeal angle encompassed by four plane right angles is impossible, as are all other supposed entities referred to by similar empty statements.[76]

The essential point that emerges from Maimonides' treatment of the impossible is that his disagreement with the philosophers in asserting that *creatio ex nihilo* is possible does not mean that he believes God has the power to do with the universe whatever He pleases. God's power to overcome nothingness does not give Him absolute power over being. The impossible remains impossible for everyone and everything including God. Moreover, says Maimonides, God's action is limited not only by the external restraint of the impossible, but internally as well, by His essential nature. In God, who is a perfect simplicity, wisdom and will are one, so that He wills to act only in a logical and rational manner. Therefore, since the possible is the logical and rational, God wills only the possible.

> The meaning of these texts and of others of the same kind is that the things willed by God are necessarily accomplished, there being no obstacle to hinder the carrying-out of His volition; but that He, may He be exalted, wills only what is possible, and not everything that is possible, but only that which is required by His Wisdom to be such.[77]

In his concept of the impossible, Maimonides has laid down a general limiting principle on God's ability to perform miracles. Contrary to the

75 Cf. Munk (supra, n. 1), III, p. 105, n. 1.
76 *MN*, II, 15; cf. I, 73.
77 *MN*, III, 25.

impression generated by the apparent concept of miracles, God cannot produce just any miracle that He pleases. The difficulty is that Maimonides leaves the principle of the impossible sufficiently vague so that we have difficulty in determining which miracles reported in Scripture fall under the category of the impossible and cannot have occurred. For example, regarding the impossibility of the transmutation of substances, substances changing into accidents and the reverse, does this mean that the rod cannot really become a snake, the water blood, and the hand immediately leprous and then healthy again?[78] Similar questions can be raised about numerous other miracles.[79] Moreover, Maimonides leaves no doubt that he employs the principle of impossibility as a criterion to determine which events in Scripture actually occurred, and which are to be interpreted away in one fashion or another.[80] One passage shows this clearly. Maimonides discusses the reality status of various events related by the prophets, one of which is the story recounted by Ezekiel regarding the valley of dry bones.[81] This story has no introductory preface by the prophet explaining that the incident about to be related takes place in a prophetic vision. Hence the reader has no reason not to conclude that it took place in reality, that there existed in fact a valley of dry bones, and that by the command of God and the action of the prophet a miracle occurred which brought the dead back to life. Of this prophecy—and his comments are extended to all similar prophecies—Maimonides, among other remarks, states the following.

> What I want to say by this is that from a single form of the communications of the prophets, a conclusion can be drawn regarding all the communications of that same class. After this introduction you should know that just as a man sees while sleeping that he had made a journey to a certain country, has married there . . . so in the case of prophetic parables[82] seen or enacted in a vision of prophecy, when the parable requires a certain action, when things are done by the prophet, when intervals of time are mentioned within the parable between the various actions and the transportation from one place to another, this takes place only in a vision of prophecy, they are not real actions, actions that exist for the external senses. Some of them are set forth in the books of prophecy without qualification[83] . . . Therefore the multitude think

78 See supra, p. 256.

79 E.g., the leprosy of Miriam, Numbers 12:10; the splitting of the sea, Exodus 14:22–29.

80 *MN*, II, 218.

81 Ezekiel 37.

82 Parables are the allegories of prophecy which have exoteric and esoteric meanings.

83 Literally: absolutely.

> that these actions . . . occurred all of them in a state in which they could have been perceived by the senses, not in a vision of prophecy. . . . Only persons weak in reasoning believe that in all these passages the prophet tells that he was ordered to do certain things and consequently did them . . . This (explanation) is one that cannot be doubted, and which can be ignored only by one who confuses the possible things with the impossible ones.[84]

No absolute decision can be reached regarding which particular miracles recorded in Scripture are rejected by Maimonides on the basis of the principle of the impossible. Still, it is clear that this principle limiting God's action to the possible raises serious doubts that the apparent concept of miracles is Maimonides' true concept. For one thing, by his denying a miracle such as Ezekiel's resurrection of the bones, the assertion in the apparent concept of miracles that "*all* the miracles become possible" is contradicted. Perhaps even more destructive to accepting the apparent concept of miracles as Maimonides' genuine opinion is his admitted inability to determine with certainty exactly which kinds of events are possible or impossible.[85] Thus he himself is necessarily uncertain regarding the truth of any given scriptural miracle and consequently the apparent concept of miracles is placed generally under a cloud of suspicion.

B. The second qualification of Maimonides' apparent concept of miracles arises from the manner in which miracles occur and their relation to his cosmology. In the chapters of the *Moreh* that give rise to the apparent concept of miracles, the implication exists that the miracles of Scripture occurred as literally described.[86] Since miracles, according to Scripture, are produced directly by God (with the prophet as His symbolic instrument) in response to the exigencies of a situation at the time they are needed, a miracle, then, according to the apparent concept of miracles, is a nonnatural event produced directly by God at a time of need. Selected verses from the narrative recounting the miracle whereby the Jews escaped from the Egyptians during the Exodus by walking on dry land through a sea illustrate this point.

> And the Lord said unto Moses: "Wherefore criest thou unto Me? speak unto the children of Israel, that they go forward. And lift thou up thy rod, and stretch out thy hand over the sea and divide

84 *MN*, II, 46; cf. II, 47.

85 *MN*, III, 15; see supra, p. 259 f.

86 In *MN*, II, 25, (quoted supra, p. 253), Maimonides says we "shall take the (scriptural) texts according to their literal sense." Maimonides, in fact, contradicts this statement completely, as will appear in the course of this study.

> it; and the children of Israel shall go into the midst of the sea on dry ground . . ." And Moses stretched out his hand over the sea; and the Lord caused the sea to go back by a strong east wind all the night, and made the sea dry land, and the waters were divided. And the children of Israel went into the midst of the sea upon the dry ground; and the waters were a wall unto them on their right hand and on their left. And the Egyptians pursued, and went in after them into the midst of the sea . . . And the Lord said unto Moses: "Stretch out thy hand over the sea, that the waters may come back upon the Egyptians, upon their chariots and upon their horsemen!" And Moses stretched forth his hand over the sea, and the sea returned to its strength when the morning appeared . . . and covered the chariots, and the horsemen, even all the host of Pharaoh that went in after them into the sea . . . Thus the Lord saved Israel that day out of the hand of the Egyptians . . .[87]

In the theology of creationism underlying the apparent concept of miracles, Maimonides proceeds with great care to show philosophically that God has the power to nullify the laws of nature. God is a free being who created as He willed. Thus His essential will is free, and out of His freedom He created the laws of nature. We have termed God's essential will the special will since it acts to produce particular events; whereas the laws of nature are called the divine general will since they produce generally what God desires to be done in the universe. The clear implication of Maimonides' apparent concept of miracles is that the special will created the universe and governed it during the period of its creation before the laws of nature were established,[88] and then, after the universe was completed, the role of the special will was to sustain the universe and the laws of nature that now generally governed it. However, in addition, the special will, as God pleased, since it was the ground of existence, could interrupt its natural laws to produce miracles such as occurred during the Jews' exodus from Egypt. In other words, according to the apparent concept of miracles, God's special will existed alone before the creation of the universe, and, after the creation, has coexisted with the laws of nature as their preserving force, and interrupts these laws as it pleases.

This being the case, it appears rather extraordinary for Maimonides to state with obvious approval the theory regarding the occurrence of miracles that is described in the following passage.

> The Sages, may their memory be blessed, have made a very strange statement about miracles, the text of which you will find in *Bere-*

87 Exodus 14:15–30.
88 See supra, p. 247.

> *shith Rabbah* and in *Midrash Qoheleth*. This notion consists in their holding the view that miracles too are something that is, in a certain respect, in nature. They say that when God created that which exists and stamped upon it the existing natures, He put it into these natures that all the miracles that occurred would be produced in them at the time when they occurred. According to this opinion, the sign of a prophet consists in God's making known to him the time when he must make his proclamation, and thereupon a certain thing is effected according to what was put into its nature when first it received its particular impress. If this statement is as you will see it, it indicates the superiority of the man who made it and the fact that he found it extremely difficult to admit that a nature may change after the Work of the Beginning or that another volition may supervene after that nature has been established in a definite way. For instance, he seems to consider that it was put into the nature of water to be continuous and always to flow from above downwards except at the time of the drowning of the Egyptians; it was a particularity of that water to become divided. I have drawn your attention to the spirit of that passage and to the fact that all this serves to avoid having to admit the coming-into-being of something new. It is said in the passage: "Rabbi Jonathan said: The Holy One, blessed be He, has posed conditions to the sea: [to wit,] that it should divide before Israel. That is [the meaning of the words]: 'And the sea returned to its strength when the morning appeared.' Rabbi Jeremiah, son of Elazar, said: The Holy One, blessed be He, has posed conditions not only to the sea, but to all that has been created in the six days of the Beginning. That is [the meaning of the words]: 'I, even My hands have stretched out the heavens, and all their hosts have I commanded.' I have commanded the sea to divide; the fire not to harm Hananiah, Mishael, and Azariah; the lions not to harm Daniel; and the fish to spit out Jonah." All the other miracles can be explained in an analogous manner.[89]

Analyzing this passage, the following points appear. When God created the several primary parts of the universe,[90] and He impressed upon them their various natural properties, He inserted into these natures certain characteristics which would make them produce anomalies at various times in the course of history. These anomalies are what we call miracles, and they are produced by the unfolding of nature itself. In a certain sense, therefore, miracles are produced by nature. Just as the regular effects of nature result from properties God impressed upon existence

89 *MN*, II, 29.

90 Apparently such fundamental constituents of the universe as the heavens and first matter.

during creation, so do the effects called miracles result from properties impressed upon existence during creation. Consequently, contrary to the apparent concept of miracles, God does nothing special at the time the miracle occurs, and the prophet does not participate in the miracle by calling upon God for divine assistance in time of need or otherwise serving as a symbol of the interruption of nature by God's special will. Indeed, inasmuch as the miracle is stamped upon nature and constitutes part of its unfolding, miracles will occur regardless of whatever event in human history might be taking place. Thus the miracle is called a "sign" given by God to a prophet not because God interrupts nature at the need and petition of the prophet, but because the prophet possesses information necessary to predict that a certain anomaly will be produced by nature.[91] This information, Maimonides says, is made known to the prophet by God.[92] Accordingly, Moses' part in the Jews' crossing of the sea was not in calling upon God for supernatural intervention but in knowing beforehand that nature would produce an anomaly that would enable the Jews to cross on dry land. This interpretation of miracles, says Maimonides, prevents us from having to contend that a new creation has taken place after the original creation of the universe. Finally, Maimonides concludes, this principle of interpretation is to be applied universally to all scriptural accounts of miracles. No matter the literal sense of the text, miracles when they occur are produced by nature unfolding, not by the special will of God.

Maimonides' concept of miracles described in the preceding paragraphs will be referred to as his "modified concept of miracles." A number of difficulties arise in connection with this concept. The most evident derive from its conflict with the spirit of the apparent concept of miracles and the theology of creationism underlying it. In the apparent concept of miracles Maimonides says *all* the miracles are possible given creationism. Why must he now seriously compromise their literal description in Scripture if they are all possible? In the theology of creationism, Maimonides argues vigorously for a free will of God that is not subject to the laws of nature. Why then, in the modified concept, is the free special will of God restricted to the period of the original creation of the universe, with only nature, the general will, governing all subsequent events? Furthermore, if Maimonides' purpose is to limit nonnaturalism, what difference does it make in principle whether miracles are produced by God at one time, before the completion of creation, or at another

91 Cf. *MN*, I, 63, where Moses, to show he was a prophet, had to do more than simply provide philosophic proofs for the existence of God. He had to have the power of miracles, which means the ability to predict anomalies.

92 "The sign of a prophet consists in God's making known to him the time when he must make his proclamation."

time, after the completion of creation? So far as the philosophic quality of the reconciliation of nonnaturalism and naturalism is concerned, it is difficult to see how the time of the miracles makes one reconciliation superior to the other. The primary issue, whether God works miracles that suspend or otherwise interrupt nature, seemingly remains unaffected. Maimonides' answer in the modified concept, just as in the apparent concept of miracles, appears to be that He does.

Still, the most serious problem that derives from the modified concept is not evident. It is seen by piecing several points together. Maimonides says the role of the prophet in miracles is limited to knowing beforehand that an anomaly in nature will occur. This anomaly is considered a miracle because it does not arise from the natural properties of the universe but from special characteristics inserted into these properties by God in the period during which the universe was brought into existence. Apparently, therefore, the occurrence of such an anomaly cannot be predicted on the basis of natural scientific knowledge since it does not flow from natural causation. Hence Maimonides says, "the sign of a prophet consists in God making known to him the time when he must make his proclamation,"[93] the implication being that God nonnaturally informs the prophet of a miraculous event, albeit built into nature, that is about to occur. Without the nonnatural knowledge of prophecy, presumably, the prophet cannot know of the miracle to be. However, we know from Maimonides' own explicit statements that prophecy is a natural event, and the prophet is only aware of natural knowledge that is obtainable rationally and scientifically.[94] Indeed, prophets possess the most expert scientific knowledge available to man.[95] If prophets know, therefore, that miracles will occur, the reason is simply that miracles are not nonnatural but natural events, anomalies that occur only irregularly, but produced by the laws of nature equally as are customary events, and predictable in the same way. Miracles as anomalies occur only because nature produces certain events irregularly, such as earthquakes, tidal waves, and volcanoes. To someone who knows the full series of natural causes underlying such sporadic occurrences, they are predictable, and

93 For Maimonides' interpretation of scriptural statements that imply God directly communicates with prophets as really meaning that the prophet receives knowledge through the ordinary processes of nature, see *MN*, II, 48.

94 *MN*, II, 32, 36. Maimonides states explicitly that non-Mosaic prophecy is a natural process; cf. Reines (supra, n. 41), pp. xxxi-xxxv. Although Maimonides does not state explicitly that Mosaic prophecy is a natural process, there is good reason to believe he thinks it is; see Reines (supra, n. 40), pp. 333–338. In any case, *all* prophets predict miracles, not only Moses, which means the occurrence of a miracle must be naturally foreseeable.

95 See Reines (supra, n. 40), pp. 342 f.

in the broadest sense, regular happenings of nature. Consequently, when we delve beneath the surface, Maimonides' modified concept of miracles presents us with still another concept: This is that there are no such events as are reported in the literal accounts of miracles in Scripture; miracles are simply anomalies of nature, rationally and scientifically explicable, whose natural causation and therefore future occurrence is known and predictable by the prophet. This concept, I propose, is Maimonides' true view, and will be referred to as his "real concept of miracles."

Accordingly, when the full implications of Maimonides' modified concept of miracles are drawn, it opposes not only the spirit of the apparent concept of miracles, but contradicts its very substance. To the question that must be confronted, whether a contradiction such as this is to be attributed to intellectual inadequacy on the part of Maimonides who simply was not aware of the incoherent consequences of the two concepts, Maimonides himself provides the answer. The *Moreh* is a work intended to communicate an esoteric teaching in a secret manner,[96] and the contradictions encountered in the *Moreh* are deliberately inserted in the text to teach the true belief to the elite, philosophically educated reader while obscuring the truth from the common people. In his introduction to the *Moreh,* Maimonides lays down seven causes of contradictory or inconsistent statements that are found in literary works. The seventh cause, which Maimonides states is one of the reasons for contradictions in the *Moreh,* reads this way:

> The seventh cause: In speaking about very abstruse[97] matters it is necessary to conceal some parts and to disclose others. Sometimes in the case of certain opinions this necessity requires that the discussion proceed on the basis of a certain proposition, whereas in another place necessity requires that the discussion proceed on the basis of another proposition contradicting the first one. In such cases, the common people must in no way be aware of the contradiction. The author consequently uses some device to conceal it by all means.[98]

Accordingly, the reasons for Maimonides' contradictory statements on miracles, which in effect amounts to three different concepts, can now be understood. The apparent concept of miracles is for the masses of common pepole who take Scripture literally. The modified concept of

96 Generally, the secret teaching is rationalistic and naturalistic.

97 Pines (supra, n. 1), p. 18, translates "obscure." But the matters themselves are not obscure, they are abstruse, and should be obscured from the masses.

98 *MN;* Maimonides' introduction to Part I.

miracles, which limits the creation of miracles to the period before the completion of the universe, and attributes their subsequent occurrence to the unfolding of nature, is for the relatively sophisticated who wish to limit the nonnaturalism of Scripture but cannot fully reject it. Also, the modified concept serves to hint at still a third concept. This is Maimonides' real concept of miracles which is for the philosophic elite whose only purpose is to know the authentic truth of Mosaic religion and structure their religious concepts in accordance with it. On the basis of Maimonides' real concept of miracles, several other difficult passages in the *Moreh* relating to the apparent concept of miracles can be clarified.

C. A perplexing qualification laid down by Maimonides regarding the occurrence of miracles is the relation he states obtains between miracles and prophets. This relation is twofold: miracles take place only by means of prophets; and the excellence of a prophet's miracles corresponds to his excellence as a prophet. Hence there are no miracles without prophets; and the greater the prophet, the greater his miracles. The first point appears with respect to Maimonides' statement that Gideon was not a prophet and therefore could not perform miracles;[99] the second point is made regarding Moses' miracles which, Maimonides says, belong in a supreme class of their own that corresponds to Moses' prophecy which is *sui generis*.[100] Given Maimonides' apparent concept of miracles, the objection to this twofold relation between miracles and the prophet is evident. If miracles are created directly by God as a special act of will they have no particular relation to prophets or their competence, and consequently whether prophets are present or not, miracles should take place dependent only upon God's purpose and the need He means to satisfy.[101] Maimonides' real concept of miracles explains why he relates miracles to prophecy. A miracle is not created by God's special will, but occurs as an anomaly of nature. The greater the scientific knowledge a person possesses, the greater his ability to predict irregular events of nature, and the higher the status of a prophet, the more his scientific knowledge. For this reason the occurrence and magnitude of a miracle is dependent upon the presence and status of a prophet. For unless a prophet with his superior scientific knowledge makes a prediction that an anomaly will occur, the event takes place without being regarded as a miracle. In other words, the prediction makes the anomaly a miracle in the minds of the masses. Similarly, the higher the prophet,

99 *MN,* II, 46.
100 *MN,* II, 35.
101 See Reines (supra, n. 41), pp. 77–79, for Abrabanel's critique of Maimonides' notion that miracles correspond to the status of a prophet.

the greater his scientific knowledge and ability to predict such spectacular natural anomalies as, for example, volcanoes. Hence Moses whose scientific knowledge was supreme among prophets and all mankind, could predict anomalies as no one else ever could, and consequently, his "miracles" were greater than those of any other prophet. It follows logically for Maimonides that Moses would use his great scientific knowledge for religious and moral purposes. Therefore, if Moses knew beforehand that some spectacular natural event was to occur at Mt. Sinai, he would employ his foreknowledge to help the masses accept a restrictive religious and moral covenant they might otherwise reject.[102]

D. Still another fundamental contradiction in the *Moreh* points to Maimonides' real concept of miracles as entirely naturalistic. Maimonides' primary justification for the apparent concept of miracles as well as for the modified concept of miracles is a theology of creationism in which God is free of the laws of nature and can and does, therefore, perform the actions that produce the nonnatural events called miracles. The evidence for asserting that deity not only can but does in fact produce nonnatural actions is to be found in certain observable irregularities in the heavens which cannot be explained by reference to the laws of nature, and which, consequently, must have been produced by a cause that creates free of natural necessity. This cause must be God. For if the heavens had been created by free, rational beings such as the Intelligences, serving as intermediaries for God, there would be no explanation for the irregularities in the heavens since the Intelligences as rational beings are guided by the logic of nature and no natural, rational explanation exists.[103] Thus the ultimate evidence for the apparent and modified concepts of miracles constitutes the irregularities in the heavens which require postulating a God who can freely create according to a design not ordered by ordinary rationality or the laws of nature. Moreover, such a deity would necessarily have created the irregularities directly, since the Intelligences are incapable of behaving according to God's higher nonnatural rationality. Maimonides, therefore, in the passages that expound the theology of creationism that supports the apparent and modified concepts of miracles, as well as in other passages opposed to Aristotelian naturalism, emphasizes that the fundamental constituents of the universe were created by God directly, through His special will. These include the heavens, consisting of the Intelligences and spheres, and the first mat-

102 This is a reasonable inference from Maimonides' various statements regarding the experience of the common people at Sinai. Cf. *MN*, I, 21; II, 33; and infra, pp. 274 f.

103 *MN*, II, 19. See supra, pp. 249 f.

ter[104] out of which the sublunar world is generated. In the following passages, Maimonides describes the direct creation by God of the Intelligences, spheres and first matter,

> However, a point on which he (Aristotle) disagrees with us in all this is constituted by his belief that all these beings are eternal and that they proceed necessarily from Him, may He be exalted, in that way. For we ourselves believe that all this has been created, and that God has created the separate intellects and has put into the sphere the force of desire toward them, and that it was He who created the intellects and the spheres and put in them the governing forces.[105]

> For we do not maintain that the first matter is generated as man is generated from the seed or that it passes away as man passes away into dust. But we maintain that God has brought it into existence from nothing and that after being brought into existence, it was as it is now—I mean everything is generated from it, and everything generated from it passes away into it; it does not exist devoid of form; generation and corruption terminate in it; it is not subject to generation as are the things generated from it nor to passing away as are the things that pass away into it, but is created from nothing.[106]

The fundamental importance of deity's direct creation of the Intelligences, spheres, and first matter to the apparent and modified concepts of miracles having been established, we find Maimonides inconspicuously introduces another cosmogony that directly contradicts this notion. In this opposing cosmogony, God creates only the first Intelligence, which through successive emanations produces the Intelligences and spheres that constitute the heavens and eventually result in the creation of first matter, from which the sublunar world is generated.

> The whole creation is divided into three parts: 1) the pure Intelligences; 2) the bodies of the spheres endowed with permanent forms...; 3) the transient earthly beings... A thing perfect in a certain way is either perfect only in itself, without being able to communicate that perfection to another being, or it is so perfect that it is capable of imparting perfection to another being... In the same manner the creative act of deity in giving existence to

104 The first matter, according to the modified concept, would apparently have to be created with nonnatural properties in it so that the physical objects generated from it after creation would exhibit miraculous characteristics.
105 *MN*, II, 6.
106 *MN*, II, 17.

> the pure Intelligences endows the first of them with the power of giving existence to another, and so on, down to the Active Intellect, the last of the Intelligences. Besides producing other Intelligences, each Intelligence gives existence to one of the spheres, from the highest down to the lowest, which is the sphere of the moon. After the latter follows the body subject to generation and corruption, that is, first matter and what is composed of it.[107]

Applying Maimonides' seventh cause of contradictions in a literary work, the reason for the two contradictory cosmogonies is understandable. Contradictions of the seventh cause enable an author to conceal concepts whose philosophic sophistication would harm the religious and social commitments of the common people.[108] Accordingly, Maimonides presents prominently a cosmogony in which God is represented as creating directly the fundamental constituents of the universe for those readers who require a belief in miracles understood as nonnatural events. Only such a cosmogony will support the apparent and modified concepts of miracles. For the readers who are capable of understanding and accepting the true cosmogony, which allows only for miracles understood as anomalous natural happenings, Maimonides inconspicuously presents his true belief regarding creation, that God created only the first Intelligence, and through successive natural emanations the Intelligences created the rest of the universe.

E. In view of the great lengths to which Maimonides went in concealing

107 *MN*, II, 11. This passage is primarily a paraphrase based upon Friedländer (supra, n. 1), II, pp. 55f. Generally, the arguments for creationism from the irregularities of the heavens presented in *MN*, II, 19 and 24 have been taken as Maimonides' truly believed arguments against eternalism and as entailing his real concept of creationism; see I. Husik (supra, n. 3), pp. 271–274; H. A. Wolfson (supra, n. 7), 117–119, 129f.; also, H.A. Davidson, "Arguments from the Concept of Particularization in Arabic Philosophy," *Philosophy East and West*, XVIII (1968), pp. 312–314. This would then necessitate the conclusion that Maimonides believed God had directly created the heavens and first matter. Unfortunately, these writers judge Maimonides on the basis of a fragment of his system. The contradictory cosmogony in *MN*, II, 11 goes unnoticed. This latter cosmogony, as well as the significant evidence that Maimonides rejects miracles in particular and nonnaturalism in general, in addition to the recognition that Maimonides is writing an esoteric work, all warrant the conclusion that Maimonides' cosmogony of deity's direct creation is presented primarily to support the apparent concept of miracles (as well as nonnatural revelation and providence), all of which he rejects. The supposed irregularities in the heavens, following the cosmogony of *MN*, II, 11, can be accounted for on natural grounds by the free and rational action of the Intelligences.

108 Maimonides' Introduction to Part I of the *MN*, *et al.*

his true opinions on such subjects as miracles,[109] the question understandably arises why he would write a work like the *Moreh* at all. The answer is that Maimonides believed he had a religious obligation to communicate to others as much of the knowledge he possessed as was possible.

> However, inasmuch as the divine precept necessarily obliges everyone who has acquired a certain perfection to pour it forth to others, as we will explain in the chapters on prophecy that follow, every scholar who has come to understand something of these secrets, either through his own speculation, or through some guide conducting him, must inevitably say something. But it is forbidden to speak explicitly about it. He must make the secret appear by means of hints.[110]

Maimonides not only felt it was necessary to communicate as much truth as others could understand, but, in addition, if readers were incapable of what he considered to be the real truth, to limit to the fewest possible the number of erroneous beliefs they might hold.[111] We see this in the way Maimonides deals with the apparent concept of miracles, which views the miracles of Scripture as literally true, a view that Maimonides rejects. For those who are capable of deeper theological comprehension, he presents first the modified concept of miracles, and then, beyond that, his real concept. However, even for those who are unable to go beyond the apparent concept, he attempts to limit the number of scriptural stories in which the miracles are to be taken literally. These efforts at limitation fall broadly into four categories: subjectivizing; naturalizing; optionalizing; and temporalizing.

1. In subjectivizing miracle stories, Maimonides reduces the miracle to an event that takes place in some human mind, not in objective reality. Primarily, these subjective events occur in the prophetic dreams and visions that are produced by the intuitive intellectual imaginations of the prophet.[112] To illustrate the method of subjectivizing, let us take the references in Scripture to angels, which, understood literally, are miraculous phenomena. Maimonides states that all appearances in Scripture of an angel are to be understood as having taken place subjectively in prophecy. Moreover, once an angel is in any way mentioned in connection

109 *Ibid.*

110 *MN*, II, 29.

111 See, e.g., *MN*, I, 35, where Maimonides insists that even women and children must be taught God's incorporeality, and certain other basic theological truths. Also cf. *MN*, I, 59.

112 See *MN*, II, 36–47, *et. al.*

with a narrative, the entire narrative is to be taken as prophetic phantasy. This would include any other miraculous events alluded to, such as, for example, Jacob wrestling with God and Balaam's ass speaking.

> We have explained that wherever it is mentioned that an angel was seen or had spoken, this has happened only in a vision of prophecy or in a dream whether this is explicitly stated or not as has been said before. Know this and understand it thoroughly. And there is no difference between a statement in which the prophet literally affirms from the first that he saw the angel and a statement according to whose literal meaning the prophet at first thought that a human individual had appeared to him, whereas at the end it became clear to him that it was an angel. For inasmuch as you find in the course of the event that he who was seen and had spoken was an angel, you ought to know and to establish as true that the event was from the first a vision of prophecy or a dream of prophecy. For in a vision of prophecy or a dream of prophecy, the prophet sometimes sees God speak to him,[113] as we shall explain, and sometimes an angel speaking to him... It is similar with regard to Jacob... All the wrestling and conversation in question happened in a vision of prophecy. And likewise the entire story of Balaam on the way and of the ass speaking; all this happened in a vision of prophecy...[114]

Thus by laying down the principle that every scriptural story in which an angel appears or speaks is in its entirety subjective, Maimonides takes away the reality of the vast majority of miracle stories in Scripture without denying the apparent concept of miracles itself.

2. In naturalizing scriptural miracle stories, Maimonides reduces the miracle story to a natural event by equating the phenomena that would ordinarily be understood as miraculous with natural phenomena. As an example of naturalizing, we may again make use of the term angel. There are instances where the scriptural use of angel is not satisfactorily accounted for solely by subjectivization. Hence Maimonides says the term angel is at times employed in Scripture to refer to a number of different natural causes, from the Intelligences that emanate on heaven and earth, to physical and psychical forces in man, and even to forces in irrational animals. In the course of naturalizing the term angel, Maimonides, among

113 A phrase in Scripture of the type that states "God speaks" is always to be understood figuratively for Maimonides. This hold true for Maimonides' own use of such phrases in the Moreh.

114 *MN*, II, 42.

other things,[115] explains away the putative miracle of Daniel's survival in the lion's den.

> Now a chapter making it clear for us that the angels are not bodies occurs previously in this treatise. This is also what Aristotle says. There is only a difference in terms; he uses "Intelligences" while we use "angels." As for his (Aristotle's) saying that these Intelligences are also intermediaries between God and the existing things, and that it is through their intermediation that the spheres are in motion, which motion is the cause of the generation of all that comes into existence, this is also the teaching of all the (sacred) books.... You know that the meaning of "angel" is messenger. Accordingly, everyone who carries out an order is an angel; so that the movements of animals, even when these beings are not rational, are stated in the text of Scripture to have been accomplished through an angel.... Thus it says, "My God hath sent His angel, and hath shut the lions' mouths, and they have not hurt me"[116].... (Rather do) all these texts state plainly that all this, including the various parts of the universe and even the creation of the limbs of animals as they are, has been brought about through the intermediation of angels. For all (natural)[117] forces are angels.... A circumstance that should confirm in your opinion the assertion that individual natural and psychic forces are called angels is the Sages' statement... Thereby they have stated plainly to him who understands and cognizes intellectually that the imaginative faculty is likewise called an angel and that the intellect is called a cherub.[118]

3. In optionalizing a miracle story, Maimonides provides an optional interpretation of the supposed miracle which enables the reader to choose between a nonnatural and natural explanation of the event. Optionalizing limits the number of stories in Scripture that must be understood according to the apparent concept of miracles. More subtly, it serves to devalue nonnaturalistic beliefs by making them of equal value in understanding Scripture to naturalistic interpretations. Two instances of optionalizing may be cited. In discussing the revelation to Moses at Mt. Sinai, Maimonides offers three different explanations of Moses' experience: either a prophetic vision that took place subjectively entirely in the mind of Moses; or a subjective event that was accompanied by the visual perception of a real object; or, in addition to both of these, a perception of real sound as well.

115 See *MN*, II, 6; also, cf. *MN*, I, 49.
116 Daniel 6:23.
117 Cf. Friedländer (supra, n. 1), II, p. 39.
118 *MN*, II, 6. On naturalizing, see also, II, 47 and 48, *et al.*

> And you are free to choose whatever belief you wish. You may believe that great scene[119] was indubitably, in its entirety a prophetic vision, and that he (Moses) sought only intellectual apprehensions—everything . . . being intellectual and admitting of no recourse to the senses. Or you may believe that there was, in addition to this intellectual apprehension, an apprehension due to the sense of sight, which, however, had for its object a created thing . . . Or again you may believe that there was in addition an apprehension due to the sense of hearing . . . Choose whatever opinion you wish . . .[120]

The first choice, that the revelation was a subjective event requires no nonnatural interpretation at all;[121] the second offers a lesser degree of nonnaturalness; and the third a greater degree. In the second example of optionalizing, Maimonides simply offers a choice between a natural and nonnatural explanation of the remarkable longevity Scripture reports certain people in the biblical age attained.

> As for the precise statements made by the texts of the Torah regarding the length of life of certain individuals, I say that only that individual who is mentioned lived so long a life, whereas the other men lived lives that had the natural and usual duration. The anomaly of such an individual is due either to various causes relating to their nutrition and mode of living, or to a miracle . . .[122]

4. In temporalizing miracles, Maimonides restricts every interruption of the laws of nature reported in Scripture to a limited time span. All miracles, he declares, are temporary in nature. Thus through temporalization, Maimonides is able to limit severely the efficacy and effects of every scriptural miracle without overtly rejecting the apparent concept of miracles. Maimonides states the principle of temporalization absolutely.

> It is well known that it is impossible and inconceivable for a mi-

119 I.e., the Sinaitic revelation.

120 *MN*, I, 21.

121 Cf. *MN*, II, 33; Reines (supra, n. 40), pp. 348–353.

122 *MN*, II, 47. Another possible instance of optionalizing occurs with respect to the manna story. Maimonides makes two references to the manna story. In one, supra, p. 14, he describes the appearance of manna as a miracle. However, in *MN*, III, 24, the manna is described simply as help that comes to the faithful in an "unexpected way" (Pines, "unthought-of") לא יטן. The distinction between "unexpected" and "miraculous" is evident. For an additional instance in which Maimonides employs contradictions to hint at his rejection of miracles, see Reines (supra, n. 41), pp. 256 f.

> racle to last permanently throughout the succession of generations so that all men can see it.[123]

Beyond its function of qualifying the apparent concept of miracles, temporalization serves to point the reader to Maimonides' esoteric real concept of miracles. Viewed theologically, there is little logic to temporalization. Why is it "impossible and inconceivable" for the special will of God, if it can interrupt the laws of nature for a brief time, not to be able to do so permanently in whatever way it chooses. Once the principle is established that deity interferes with the course of nature, what difference does it make whether the duration of that interference is limited or not? The very arbitrariness of the notion of temporalization bids the reader of the *Moreh* to search deeper for Maimonides' true intent regarding the nature of miracles.

III

One further point provides strong corroboration for the thesis that Maimonides rejects both the apparent and modified concepts of miracles he sets forth, which view miracles as interruptions of the laws of nature. This is that Maimonides nonessentializes miracles. Nonessentialization is the process whereby a belief or other feature ostensibly associated with a religious system is repudiated not by words but in fact, by assigning no effective function to it in the system. Whether a religious belief has been nonessentialized can be decided only after examining its place in serving the fundamental purpose of every religion: human salvation. In Maimonides' philosophy of Judaism, miracles play no part in salvation. Yet if Maimonides truly believed God had ever interrupted the laws of nature by redemptive acts produced by His special will, as Maimonides' apparent and modified concepts of miracles contend He did in past biblical times and can continue to do in the present and future, it would be reasonable for Maimonides to propose miraculous salvation as an integral part of his system. On the contrary, Maimonides denies that man can hope for miracles to resolve the human condition. Thus Maimonides says God will never change the nature of man to provide him miraculously with redemption.

> Inasmuch as it is the principal object and purpose of God that we should believe in this Law, and observe the practices that it prescribes, why did He not give us the capacity always to understand this purpose and to act in accordance with it? . . . What was there to prevent Him from establishing a natural disposition within us to perform the acts of piety He desired and avoid the acts of dis-

123 *MN*, III, 50.

> obedience He abhorred? There is one general answer... Though all miracles change the nature of some individual being,[124] God does not change at all the nature of human individuals by means of miracles.[125]

Similarly, Maimonides denies that there will be a miraculous destruction of this world and a subsequent new creation that will bring the Messianic Age. The Messianic Age will be produced by the natural conditions that have been in existence since the original creation of the universe.

> Th opinion at which we are aiming has already been made clear: it is that a (future) destruction of this world, a change in its nature,[126] so that it then remains permanently in that altered state, is something no prophetic text or any statement of the Sages affirms.... Even he who takes "new heavens and a new earth" literally,[127] says: "Even the heavens and the earth that will be created in the future are already created and exist... And he gives as a proof the verse, "There is nothing new under the sun."[128] Do not believe that this is in contradiction to what I have stated. On the contrary, it is possible that he means that the natural disposition[129] that will necessitate at that time these promised states of existence[130] has been created since the "six days of the creation."[131]

IV

Maimonides' concept of miracles, as developed in this study, is that events such as those reported in Scripture as miracles are not, in fact nonnatural occurrences, but anomalies produced by nature. In addition to natural anomalies, which are "miracles" proper, Scripture, according to Maimonides, speaks of other putative nonnatural occurrences that are thought to be miracles only because the reader did not understand that they took place subjectively as, for example, in prophetic phantasies, or

124 Maimonides, as he generally does, speaks on more than one level at once. Here, using the language of the apparent and modified concepts of miracles, he says that even for these concepts it must be understood that miracles do not change human nature.

125 *MN*, III, 32; cf. A. J. Reines, "Maimonides' Concepts of Providence and Theodicy," *HUCA*, XLIII (1972), pp. 198–205.

126 I.e., a change in any of its natural properties.

127 Isaiah 66:22.

128 Ecclesiastes I:9.

129 Arabic, אלטביעה̈. Munk (supra, n. 1), II, p. 224, "la disposition physique."

130 I.e., the future condition of Israel; Friedländer (supra, n. 1), II, p. 139.

131 *MN*, II, 29. Another instance of the nonessentializing of miracles is that they do not provide evidence of truth; *MN*, III, 24.

the reader otherwise misunderstood the metaphorical language in which Scripture is couched. Accordingly, miracles are not produced by a special act of God's will, but by the general will that is expressed in and through nature. Underlying this concept of miracles is Maimonides' real cosmogony, which contains generally these basic notions. God created the universe out of nothing by a free and purposeful act of will. The only direct creation of God was the first Intelligence, a being endowed with free will but subject to the laws of nature.[132] The first Intelligence then initiated a chain of emanations, all unfolding within the limits of natural necessity,[133] which resulted ultimately in the creation of the universe.[134] Consequently, only one act in the entire Maimonidean cosmogony took place outside the laws of nature, this was the creation of the first Intelligence by the special will of God which brought the laws of nature into existence. From the time of that original creation, no nonnatural event ever again occurred. Thus Maimonides' disagreement with the Aristotelians is basically with respect to one point.[135] The Aristotelians claim God is subject to the laws of nature, whereas Maimonides maintains that God is free, limited only by His own essence and the impossible. Both the Aristotelians and Maimonides agree the universe is entirely subject to the laws of nature. Represented this way, Maimonides' system is integrated and coherent. There is no logical difficulty in maintaining that God, out of His freedom and in accordance with His wisdom, willed to create a universe that is subject to the laws of nature. The difficulty arises when either Maimonides' apparent or modified concept of miracles is taken as his true view. The reason is not that naturalism and nonaturalism can never be coherently combined in a single theological system, but that in Maimonides' presentation they are not. Maimonides' apparent and modified concepts both propose that God governs the universe through nature except sporadically when His special will interrupts the laws of nature to produce an occasional trivial event called a miracle. Miracles are necessarily trivial according to these concepts seeing that they produce neither individual nor group salvation, are incapable of testifying to truth, and in any case, last only a brief period of time. Such a view of miracles is obviously grafted arbitrarily onto a basically naturalistic system, rendering the total system incoherent as a whole. Maimonides' purpose in the *Moreh* is to provide an interpretation of Judaism as a rational religion, yet what logic is there to a concept of deity who wills to interrupt miraculously the laws of nature but who limits his miracles to trivia? The answer is that deity, in truth, does not will to act

132 *MN*, II, 7.
133 See supra, pp. 270. f.
134 *MN*, I, 72.
135 I.e., based upon the conclusions of this study.

in the universe outside nature. Deity wills only the most excellent action, and the creation of the universe as it is is the most excellent action of which deity is capable, for the natural universe is the best of all possible worlds.

> Similarly, no obstacle intervenes between Him and the exceedingly excellent action He wishes to accomplish, and nothing can hinder it.... You will find this notion frequently repeated by the Sages when they interpret the verse, "He hath made everything beautiful in its time."[136] Such is the belief of the multitude of the men of knowledge in our Law, and this was explicitly stated by our prophets, namely, that the actions of nature to the slightest details are all wisely regulated and connected to one another, all of them causes and effects, none of them is futile, frivolous, or vain, being acts of perfect wisdom... It is upon this opinion that the whole of the Torah of Moses our Master is founded. It begins with it, "And God saw everything that He had made, and behold, it was very good;"[137] and it concludes with it, "The Rock, His work is perfect...[138]

Two questions remain to be answered. First, if Maimonides does not believe miracles as nonnatural events have ever occurred, what is his understanding of why Scripture describes them in nonnatural terms? Second, if Maimonides does not believe nonnatural events have ever occurred, how precisely are we to understand chapter twenty-five (Part II) of the *Moreh*, which seems to present a contrary view? The answers to these two questions bear closely upon one another.

The answer to the first question is to be found ultimately in Maimonides' view of the objectives of Mosaic religion. The Law, says Maimonides, has two fundamental purposes: the well-being of the soul and the well-being of the body. The Law serves the well-being of the soul by teaching it theological beliefs about God and the universe. Unfortunately, not all persons have the capacity to understand the true beliefs of theology, so Scripture finds it necessary to present its teachings in a way that will enable each person to receive the maximum information he can comprehend. The method Scripture employs to accomplish this is to couch its truths allegorically in parables. These parables have a literal or exoteric meaning that is intended for the common people and a figurative or esoteric meaning intended for the philosophically educated elite. The exoteric theology of Scripture is generally that of a deity who continuously acts supernaturally, through nonnatural prophecy, provid-

136 Ecclesiastes 3:11; cf. Genesis Rabbah, IX; Midrash Qoheleth, 3:11.
137 Genesis 1:31.
138 Deuteronomy 32:4; *MN*, III, 25.

ence, and miracles. The esoteric theology is that of Maimonides, a creator God who manifests His will through the natural universe alone. The Law serves the well-being of the body by teaching ethical beliefs that are necessary for social welfare. In this area, too, the masses are unable to comprehend the true beliefs that lead to proper morality. Hence the Law teaches certain beliefs that are not true at all, but whose sole function is to impel the common people to behave in a manner necessary for the welfare of society. These points in the main appear in the following passages.

> The Law as a whole aims at two things: the well-being of the soul and the well-being of the body. As for the well-being of the soul, it consists in every person acquiring correct opinions according to their respective capacities. Therefore, some (opinions) are stated explicitly and some are stated in parables. For it is not within the nature of the common people to possess the capacity necessary to comprehend the subject matter as it actually is. As for the well-being of the body, it comes about by the betterment of the way in which men live with one another.[139]

> One thing to which your attention should be directed is that regarding the (theological) truths through which ultimate perfection is attained, the Law only communicates the most important points and calls us to believe in them in a general way. These points are: the existence of God, His unity, knowledge, power, will, and eternity. All these points are the final results (of scientific inquiry)[140] which can be understood in detail and definitively only after a knowledge of many other ideas.[141] Similarly, the Law calls us to adopt certain beliefs acceptance of which is necessary for the sake of social welfare. Such, for example, is the belief that He is violently angry with those who disobey Him and that it is therefore necessary to fear Him and to dread Him and to take care not to disobey.[142]

Hence Scripture is written in parables that contain two basic levels of meaning, a literal meaning that teaches an exoteric religious system to the masses, and a concealed meaning that reveals an esoteric religion to the

139 *MN*, III, 27.

140 See Munk (supra, n. 1), III, p. 214, n. 2.

141 Tr. Munk (supra, n. 1), III, p. 214.

142 *MN*, III, 28. The point is that the notion God has emotions and can be angry is absolutely false for Maimonides. Even so, the belief is socially useful. Cf. Friedländer (supra, n. 1), III, 28, n. 2. The same applies, as is suggested below, to the belief in nonnatural miracles.

elite. On the exoteric level belief is presented in a general and imaginative way. To comprehend the esoteric level, a person must be educated in metaphysics and science. Among the principal truths Scripture means to teach is belief in *creatio ex nihilo*.[143] One way in which this belief in creationism is taught the masses, Maimonides says, is through stories of miracles as nonnatural events. Such miracles are evidence of creationism because the natural inference is that only a God who created the natural universe would have the power to interrupt the laws of nature.[144] Consequently, one reason Scripture speaks of nonnatural miracles although they have never occurred is that they serve to implant firmly in the common people a belief in creationism. In addition, a belief in nonnatural miracles by the masses contributes to social welfare. Commenting on a verse in Ecclesiastes, Maimonides says, "Solomon, as it were, describes the purpose of exceptions to the laws of nature, or an excuse for changes in them, when he says, 'And God hath so made it (namely, He performs miracles) that men should fear before Him.' "[145] Those who fear God will not disobey the ethical imperatives they believe were revealed by Him. Consequently, Scripture teaches miracles not because nonnatural events truly occur, but because miracle stories serve the Law's dual purpose of teaching the masses a true belief, creationism, while helping them through fear to control their asocial desires.

We turn then to the second question: how are we to understand chapter twenty-five (Part II) of the *Moreh* if it is Maimonides' view that no nonnatural events have ever occurred in the universe? Preliminary to dealing with this question, a brief discussion is required regarding Maimonides' notion of the relation that obtains between the literal and figurative meanings of scriptural texts.[146] In general, the literal meaning of these texts provides the beliefs of the exoteric religion; the figurative meaning, the esoteric religion. However, not just any figurative meaning can be given a text; there must be some internal relation between the figurative meaning and the text's literal sense.[147] Maimonides is not specific about what this internal relation should be, and provides examples

143 *MN*, III, 32.
144 *MN*, II, 25.
145 *MN*, II, 28.
146 This discussion applies as well to talmudic or midrashic texts, but they are of secondary significance.
147 Thus in *MN*, II, 25, Maimonides condemns the figurative interpretations of certain Islamic allegorists as absurd; see Munk (supra, n. 1), II, p. 197, n. 2; also Pines (supra, n. 1), p. 328, n. 1. On the other hand, a traditional rabbinic thinker such as I. Abrabanel vigorously condemns Maimonides' figurative interpretations; see Reines (supra, n. 41), p. 136, *et al.*

rather than rules.[148] Nonetheless, it is clear that some degree of anology must exist between the literal and figurative meanings.[149]

> Accordingly, the Sage said that a saying voiced with the purpose of expressing two meanings is like an apple of gold overlaid with silver filigree having very fine openings. Now see how marvellously this statement describes a well-constructed parable. For he says that in a saying that has two meanings, that is, a literal and a figurative[150] one, the literal meaning must be as beautiful as silver, while its figurative[151] meaning must be more beautiful than the literal one, the former in comparison to the latter as gold is to silver. Its literal meaning also ought to contain in it something that indicates to someone examining it what is to be found in its figurative meaning, as happens in the case of an apple of gold overlaid with silver filigree having very fine openings. When looked at from a distance or with imperfect attention, it is deemed to be an apple of silver; but when a keen-sighted observer looks at it very attentively, its interior becomes clear to him and he knows that it is of gold. The parables of the prophets are similar. Their literal meaning contains wisdom that is useful in many respects, among which is the welfare of the state of human societies, as is apparent in the literal meaning of Proverbs and of similar discourses. On the other hand, their figurative meaning contains wisdom that leads to real truth.[152]

Despite the lack of preciseness in Maimonides' description of the proper relation that should obtain between the literal and figurative meanings of scriptural texts, some specific principles of interpretation can be inferred from comments appearing in various parts of the *Moreh*. One such principle concerns phrases of the type "God revealed this knowledge to a prophet," and "God brought this event about in the universe." Since all knowledge and actions in the universe, according to Maimonides, result from natural causes, these phrases must all be interpreted figuratively as referring to knowledge and action produced by nature.[153] However, the part of the phrase in which these occurrences are attributed to God,

148 E.g., the first forty-five chapters of the *Moreh* are almost entirely given over to figurative interpretations of scriptural terms. To a lesser degree this occurs throughout the *Moreh*.

149 However, the lack of interpretive rules means that a degree of arbitrariness will enter into every interpretation.

150 Munk (supra, n. 1), I, p. 19, "un (sens) extérieur et intérieur;" so Pines (supra, n. 1), p. 12, "an external and an internal one."

151 I.e., concealed or secret meaning.

152 *MN*, Maimonides' Introduction to Part I.

153 See *MN*, II, 48; *et al.*

even though the knowledge and action are directly produced by nature, must be understood as having a meaning internally related to the phrase's literal sense. This is that the knowledge or action, although natural in origin, is attributed to God because He is the creator of nature, and therefore the ultimate cause of everything nature produces. Nature, in other words, is God's general will and serves as His intermediary. However, God cannot be considered the ultimate cause of all natural events unless He is truly the cause, that is, the being who in freedom created the natural universe out of nothingness with intent and by design. Accordingly, if there were no creation of the universe, as is the case in eternalism, then there is no proper figurative interpretation for scriptural sentences of the types beginning "God said ..." or "God did ...." It is this principle of interpretation that underlies Maimonides' discussion in chapter twenty-five (Part II) of the *Moreh*.

Maimonides frequently employs the method of Scripture, as he understands it, of stating ideas ambiguously, with an exoteric meaning for the ordinary reader of the *Moreh*, and an esoteric meaning for the reader aware of its labyrinthine structure of concealment.[154] Chapter twenty-five is written in this manner, and contains both an exoteric and an esoteric sense. In this way, Maimonides provides two different answers for the difficult problem with which chapter twenty-five deals. This problem, as previously discussed, is that despite Maimonides' vigorous argumentation in the previous chapters, thirteen through twenty-four, he admits that he has only made a case for the possibility of creationism. He has not been able to refute eternalism, or demonstrate the truth of creationism. Should creationism then be accepted? Maimonides says it should, and he cites various reasons: that there are more doubts regarding the truth of eternalism than of creationism;[155] that Abraham and Moses have taught creationism is true;[156] and that eternalism is dangerous to proper theological belief.[157] In chapter twenty-five, Maimonides provides his final argumentation for affirming creationism. This argumentation, however, consists actually of two different arguments, one exoteric and the other esoteric. The exoteric argument is the basis of the apparent concept of miracles and has already been discussed in that context.[158] It is that the acceptance of eternalism and the consequent rejection of creationism means the rejection of the revelation of the Law, miracles, and provid-

154 This is in addition to such methods of concealment as contradiction, or scattering the constitutive elements of a concept, which also appear in this study.
155 *MN*, 16; *et al.*
156 *MN*, 22, 23, 24.
157 *MN*, II, 22.
158 See supra pp. 249–255.

ence, with the latter's promises of reward and punishment. The reason that the affirmation of eternalism entails the rejection of these three fundamental principles of Judaism is ostensibly that they are all nonnatural events and require, therefore, in order to be true, the deity of creationism, who is the only being capable of producing nonnatural events in the universe. However, for the reader who is aware of the esoterica of the *Moreh,* this cannot be Maimonides' true reasoning. This is because Maimonides actually believes the revelation of the Law, miracles, and providence are all natural events and, therefore, can take place equally well in Aristotle's universe as in Maimonides'.[159] What, then, is the esoteric argument for creationism Maimonides is presenting to the elite reader? It is not that revelation, miracles, and providence properly understood cannot occur in an eternalistic, naturalistic universe, but that the literal meanings of Scripture that describe these three classes of events cannot be given a proper figurative or esoteric meaning that accords with eternalism.[160] In the scriptural narratives, revelation, miracles, and providence are all attributed to God as producing them nonnaturally. It is proper, Maimonides says, to understand these nonnatural narratives figuratively as referring to natural events so long as some analogy to their literal meaning is retained, and this is that these events, although natural, have really come from God. However, natural events can be attributed to God only if He is in truth taken as the creator of nature and the universe. It is not a legitimate interpretation to attribute events to God if the universe is eternal and never was created by Him.[161] In other words, Maimonides' argument in chapter twenty-five against accepting eternalism is that given the proper use of figurative interpretation, the acceptance of eternalism means that one must reject Scripture in its entirety. The reason is that literal meanings of Scripture ultimately govern the limits of figura-

159 On the reasons for concluding Maimonides believes the miracles of Scripture were natural events, see supra, pp.257–271. Regarding the naturalness of prophecy, Maimonides states explicitly that those who believe in eternalism recognize prophecy; *MN,* II, 16. Also, see *MN,* II, 32, the second opinion on prophecy, which is the opinion of the philosophers. As for providence, see Reines (supra, n. 125), pp. 173–197.

160 However, since Plato believes in a creator God, albeit creation from a pre-existent matter, Scripture can be interpreted figuratively to fit his position. I.e., the miracles, etc., are properly attributed to God, who ultimately is the creator of the unvierse.

161 Hence what Maimonides means by his statement in *MN,* II, 25 that "with a belief in the creation of the world, all the miracles become possible and (the Revelation of) the Law becomes possible" is this: that with the acceptance of creationism it is possible to believe that the events attributed to God in Scripture nonnaturally, when taken in a demythologized sense, did in fact come from Him, although by means of nature. Without a belief in creationism, nothing theological of the scriptural texts describing revelation, providence, or miracles is true.

tive interpretation and these meanings do not allow eternalism.[162] Hence creationism is to be accepted over eternalism, assuming each is equally unproved, because creationism is pragmatically and socially superior. Creationism allows the affirmation of Scripture, and Scripture gives to the masses an exoteric religion of beliefs, such as nonnatural miracles, that provides personal contentment and social control. At the same time, creationism takes nothing away from the proved teachings of philosophy. Esoterically understood, creationism teaches the same naturalistic, rational universe as does eternalism, in which miracles themselves are reduced to simple anomalies of nature. Consequently, it is on the grounds of its superior social consequences that Maimonides ultimately argues for a theology of creationism. Having thus traced Maimonides' concept of miracles to its conclusion, we find it leads to the fundamental principles of his thought: a theology of creationism and a universe of nature; an exoteric religion of nonnaturalism for the masses, and an esoteric religion of naturalism for the elite.

162 Having reconciled Judaism in all religiously essential ways with eternalism, except for the problem of the legitimate figurative interpretation of Scripture, Maimonides would seem to have left the door open for eternalists and naturalists among the Jews to remain within the community, their perplexities and internal conflicts now having been fundamentally resolved, and in a very real sense, minimized.

This conclusion is borne out by Maimonides' unusual remark toward the conclusion of *MN*, II, 25 that owing to the destructive consequences of eternalism for the Law, "the lives of virtuous men have been and will be spent in investigating this question," i.e., the question of creationism or eternalism. We would have expected Maimonides to say that owing to such destructive consequences for the Law "the lives of virtuous men will be spent in emphatically denying eternalism." Instead, virtuous and thinking persons are invited to spend their lifetimes in continuing investigation of the question. We may assume such investigation and any conclusions reached would be private and secret.

A JEWISH PLAINT TO SAINT LOUIS

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THE reign of the pious king Louis IX was an outstanding period in the history of medieval France. Deeply devoted to the Church, Louis attempted to order both his personal life and the affairs of his state according to ecclesiastical dictates. While his memory was long revered by most Frenchmen for these efforts, this same zeal made his reign a disastrous turning point in the history of medieval French Jewry. Louis' dedication to Church programs led him to initiate attacks on Jewish moneylending, the pillar of Jewish economic life, and on the Talmud, the cornerstone of Jewish religious existence.[1] As a result of the expansion of the royal domain, these deleterious innovations, originally introduced in the north, were soon extended into southern France as well. The Jewries of Languedoc began to share the increasingly harsh fate of their northern co-religionists.

Unfortunately, few French-Jewish reactions to these momentous developments have survived. Given the general lack of such materials, first-hand responses to these changes are to be prized. Unusually valuable in this respect are the writings of a mid-thirteenth-century southern-French leader collected in a compendium commonly entitled *Milḥemet Mitẓvah*.[2] This manuscript is a *mélange* of various compositions, almost all of

1 For a discussion of the programs of Louis IX relative to the Jews, see Robert Chazan, *Medieval Jewry in Northern France* (Baltimore, 1973), 100–153.

2 Biblioteca Palatina Parma, ms. 2749, hereafter M.M. The first description of this important manuscript was made by Adolf Neubauer in *Archives des missions scientifiques et littéraires,* 3rd s., I (1873), 556–557; cf. Henri Gross, "Meir b. Simeon und seine Schrift Milchemeth Mizwa," *Monatsschrift für Geschichte und Wissenschaft des Judentums,* XXX (1881), 295–305, 442–452, 554–569; Siegfried Stein, "A Disputation on Moneylending between Jews and Gentiles in Meir b. Simeon's Milḥemeth Miṣwah," *Journal of Jewish Studies,* X (1959), 45–61; *idem, Jewish-Christian Disputations in Thirteenth-Century Narbonne* (London, 1969). Although the author's name does not appear in the manuscript, it has generally been agreed that he was Meir b. Simeon of Narbonne; for the evidence see, *inter alia,* Stein, "A Disputation on Moneylending," 45, and *idem, Jewish-Christian Disputations,* n. 34. Since the identification is still not certain and since it neither adds to nor detracts from our conclusions, we shall speak simply of the author or the Jewish spokesman.

exceptional interest.[3] While some segments are literary creations, largely in the area of Jewish-Christian polemics, some portions record actual confrontations or immediate reactions to key problems of the period.

Especially important is a purported letter to Louis IX, responding vigorously and negatively to the king's anti-usury legislation.[4] In his introduction the author describes the epistle in the following terms:

> I shall write down here what I wrote concerning the decrees and ordinances which the king has enacted for our people in all the areas of his kingdom. It was my intention to copy down these reactions in their language and script and to send them to him, in order that he might relent in his anger and have mercy on our people, reconsidering matters in the light of the writings of the prophets.[5]

Naturally the dating of the missive is critical. Material in the collection ranges over a broad span of time, with specific mention of the years 1245 and 1270.[6] While this section cannot be dated precisely, a fairly close approximation can be made. In a portion of the letter detailing the punishment ensuing from the persecution of the Jews, there is mention of a woman who utilized the king's decrees to unfair advantage and grew wealthy thereby. Subsequently she lost her wealth, was forced to leave her home, and died by the wayside. Her death took place "one year prior to the king's crossing to Outremer."[7] At a later point, again focusing on the punishments flowing from the monarch's enactments, the author notes specifically defeat of the royal forces at the hands of the Moslems, the king's own captivity, and the capture of many of his troops.[8] From all this it is obvious that the epistle was composed sometime in the mid-1250's, after Louis' return from the Crusade. This is precisely the period of the second royal assault on Jewish moneylending. It is this attack which moved the author to pen his vigorous complaint.[9]

3 The best description of the contents of the manuscript is Stein's *Jewish-Christian Disputations.*

4 M.M., 64a–83a. The first pages of the letter were published by Moshe Blau as part of the introduction to his edition of Meir b. Simeon's *Sefer ha-Meorot* (New York, 1964). Additional segments have been published by Benzion Dinur, *Yisrael ba-Golah* (2nd ed.; 2 vols. in 8; Jerusalem, 1960–71), II, bk. 1, 156–157 and 163–165. I have been able to study the full text of the letter through the facilities of the Institute of Microfilmed Hebrew Manuscripts at the Jewish National and University Library in Jerusalem.

5 M.M., 64a.

6 *Ibid.*, 24b and 116b.

7 *Ibid.*, 78a.

8 *Ibid.*, 80a and 81a.

9 It may in fact be possible to specify the date of the epistle yet more

The letter is a long, rambling message to the king, replete with numerous repetitions. Notwithstanding its repetitiveness, the basic outline is clear. After the prefatory description just now cited, the author proceeds to lay down the foundation of his argument. Since both Christians and Jews agree on the unity of God, there must be a common bond that links all men. From the brotherhood of all men flows the responsibility for moral behavior towards all, including respect for prior agreements and concern for the poor and the oppressed. Indeed those who fail in these key ethical duties will suffer severe punishment.[10] These themes, touched upon in the broadest terms, form the groundwork for the entire composition. The author then details seven specific decrees which he styles "the unfair ordinances."[11] Following the list of royal enactments, he cites thirty-seven transgressions embodied in this legislation; these sins are first enumerated and then elaborated upon.[12] The last segment of the letter deals with a series of possible rationales for the measures, rebutting each and emphasizing the punishments which the royal program would evoke. Some of these punishments had in fact, according to the writer, already begun.[13]

While this epistle was never sent to Louis and while some of its contents were clearly intended for a Jewish audience only, it remains nonetheless a striikng outsider's view of the pious programs of Louis IX and an invaluable glimpse into the reactions of a beleaguered minority community.

After the necessary introductory remarks, the author spells out in detail the royal enactments which the Jews found unjust. He cites seven objectionable actions:

> The first, that he enacted an ordinance against our people that a Jew not be allowed to leave one ruler and transfer to another ruler. . . .
> The second, that he stole our loans and our moneys. . .
> The third, that he confirmed the payment of tolls and did not annul them. Rather he should have commanded throughout his kingdom that no tolls be levied on Jews since he had confiscated their money. . . .

precisely. On f° 71a the author cites the practices of the previous archbishop. In July of 1257, Guillaume de Broue died, after twelve years in office. It is quite likely that the epistle was composed either during the year-long interregnum after his death or during the brief reign of his successor.

10 *Ibid.*, 64a–64b.
11 *Ibid.*, 65a–66a.
12 *Ibid.*, 66a–77b.
13 *Ibid.*, 77b–83a.

> The fourth, that he commanded his officials—even though it is not agreeable to them—that they and their subordinates not enforce the obligations owed the Jews by gentiles—neither the principal nor the interest.
> The fifth, that, if a Jew is obligated to a gentile, they should force that Jew to repay the gentile his debt.
> The sixth, that we not lend against interest at all, even in circumstances permitted to us by the Torah according to the views of our ancestors. . . .
> The seventh, that he steals the large houses that belong to the wealthy among our people, saying that small houses worth forty or fifty pounds are sufficient for them. . .[14].

All these enactments, with the possible exception of the last, are directly related to the royal attack on Jewish usury begun in the 1230's and renewed in the late 1240's. It is significant that the list opens with the restriction on Jewish movement. It was this limitation which intensified the impact of all the other infringements on Jewish economic life by eliminating the possibility of freely seeking more appealing circumstances. This restriction was introduced by Louis' father. It accompanied the first major curtailment of governmental support for Jewish moneylending, the refusal to enforce payment of interest. The clause enjoining barons from holding one another's Jews was intended to prevent mass movement of Jews from those domains in which the legislation of 1223 was binding to those areas where it was not.[15] In Louis' more stringent ordinance of 1230, which outlawed all governmental enforcement of Jewish loans—principal and interest alike—the prohibition against holding another baron's Jews was repeated, this time with sanctions specified.[16] This edict did not remain a dead letter; there are a number of instances recorded in which Jews were forcibly returned to their original overlords. The Hebrew epistle describes graphically how adversely this measure affected the Jews:

> Now see how difficult this decree is, for by this ordinance he (the king) sold us into daily destruction, death, and decimation at the hands of the rulers of the land. . . .
> Sometimes these rulers estimate that the Jew has far more than he actually has and they afflict him with harsh and painful sufferings until he redeems himself, if he can find sufficient money for redemption, or until he perishes from his afflictions, in great pain.

14 *Ibid.*, 65a–66a.

15 Alexandre Teulet *et al.* (eds.), *Layettes du Trésor des Chartes* (5 vols.; Paris, 1863–1909), II, # 1610. Cf. Robert Chazan, "Jewish Settlement in Northern France," *Revue des études juives,* CXXVIII (1969), 52–53.

16 *Layettes du Trésor des Chartes,* II, # 2083.

> Who then causes his death? Surely the king through his decree.... But if he flees, then the baron whom he left will capture him and place him in iron chains, where again he will perish in suffering.[17]

Most of the royal regulations enumerated were directed specifically against Jewish moneylending. Of these, the earliest was the royal order outlawing governmental enforcement of all obligations owed to the Jews, including both interest and principal. Total withdrawal of all support for Jewish loans was the major provision of Louis' Melun Ordinance of 1230 and was repeated as part of his famed Reform Ordinance of 1254.[18] Although the author simply mentions this stipulation in his catalogue without further elaboration, throughout the remainder of the epistle the refusal to enforce Jewish loans is incessantly castigated. In the context of the total letter, this is the Jews' most serious and most vehement complaint.

A related decree enjoined the Jews themselves from lending at interest. This was the final step in the royal assault of the 1230's. Having removed his administration from involvement in Jewish lending, the king concluded his attack by directly ordering the Jews to desist from usury. This injunction was first promulgated in 1235, although without specification of sanctions. It was repeated in 1246 and reenacted in a far more serious fashion in 1253, with the stipulation that those unwilling to abide by this law must leave the kingdom.[19] There are a number of references to a partial expulsion of Jews during the mid-1250's and it is highly probable that they reflect the decision of some to accept the alternative of abandoning royal France.[20] Although the author does not specify expulsion as one of the elements in the royal program, he does introduce

17 M.M., 65a. See the papal letter of 1233, complaining of such baronial maltreatment of French Jews—Solomon Grayzel, *The Church and the Jews in the XIIIth Century* (2nd ed.; New York, 1966), # 70.

18 *Layettes du Trésor des Chartes*, II, # 2083; Eusèbe de Laurière *et al.* (eds.), *Ordonnances des roys de la troisième race* (23 vols.; Paris, 1723–1847), I, 73–74.

19 Léopold Delisle (ed.), "Recueil des jugements de l'Echiquier de Normandie," *Notices et extraits des manuscrits de la Bibliothèque nationale*, XX (1862), # 581; Claude de Vic and Joseph Vaisette, *Histoire générale de Languedoc* (15 vols.; Toulouse, 1872–92), VIII, 1191–1192; *Ordonnances*, I, 75.

20 The clearest testimony on this partial expulsion is from the chronicle of Matthew Paris—Henry Luard (ed.), *Matthaei Parisiensis Chronica Majora* (7 vols.; London, 1872–83; *Rolls Series*), V, 361–362. For further references to the expulsion see *Ordonnances*, I, 85; Arthur Beugnot (ed.), *Les Olim ou registres des arrêts* (3 vols. in 4; Paris, 1839–48; *Collection de documents inédits sur l'histoire de France*), I, 364; Guillaume of Chartres in *Recueil des historiens des Gaules et de la France*, XX, 34.

random references to banishment.[21] This reinforces the impression of a partial expulsion involving only a limited number of Jews.

There is, in regard to these measures, one curious point to be noted. While the writer contends strongly that usury is permitted and that there is no justification for the royal withdrawal of governmental support or for the royal prohibition directed at the Jews themselves, he does in one instance add a strategic compromise. He suggests that, even if the king had the right to initiate such orders, he had no right whatsoever to make them retroactive.

> For if you had warned us initially not to lend further against usury and if subsequently we had transgressed, then we would be silent—even though it is not proper that you forbid us that which is permitted to us by our faith....
> But you did not warn us not to lend against usury; therefore we depended in our lending upon your law and the law of your ancestors.... But if this is not your wish (i.e. if you are unwilling to reinstitute the earlier support of Jewish lending) and if you have been imbued with a different faith, then you must command the enforcement of the obligations which have been made down till now. They must be returned to us according to your statutes and the statutes of your ancestors.[22]

This is ostensibly a difficult claim to comprehend. As noted, Louis had outlawed governmental enforcement in 1230 and had forbidden the Jews directly from lending in 1235. How then could a claim be lodged in the 1250's that there had been no warning and that, minimally, prior obligations had to be enforced? The answer seems to lie in the disparity between north and south. The Melun ordinance of 1230 was promulgated in an assembly of northern barons.[23] It is highly likely that its anti-usury stipulation, along with the prohibition of 1235, was enforced in the northern areas only. Thus the royal campaign of the late 1240's and the 1250's was actually a revival of earlier efforts in the north accompanied by their extension into the south. The measures introduced into the south made no allowance, however, for their newness in that area. They represented a sudden and radical change of fortune. They included, e.g., no provision akin to those of 1230 for repayment of old debts. It is against this background that both the argument for enforcement of

21 M.M., 76b and 78a.

22 *Ibid.*, 70b–71a.

23 *Layettes du Trésor des Chartes*, II, # 2083. Cf. Gavin Langmuir, " 'Judei Nostri' and the Beginning of Capetian Legislation," *Traditio*, XVI (1960), 225–235.

prior obligations and the general tone of Jewish bitterness must be understood.

While the major thrust of the royal anti-usury campaign was the legislation just now discussed, an accompanying phenomenon—both in the 1230's and in the 1240's—was confiscation of Jewish wealth and Jewish loans.[24] It seems that the rationale for these despoliations of Jewish property was a desire to undo the damages wrought by Jewish usury. Particularly in the latter period, there were extensive efforts to return moneys taken by the Jews as interest. Elaborate machinery was established to investigate the numerous claims, utilizing procedures designed to facilitate reimbursement. There is an interesting reference to these attempts in the letter.

> Now if the king can introduce new ordinances for his people, then the ordinances and laws which his forefathers followed are binding down to the day when he decided to change them—for they also were honored kings like him. Since that is the case, then all the usury which was collected till now according to the laws of his ancestors belongs to us. Why then do you take our money, robbing us and returning it to those who legally have no claim against us?[25]

In many instances it was impossible to locate the lenders from whom the usury had been taken. In any case it seems likely that far more was confiscated than needed for the purposes of reimbursement. This excess was used for pious purposes, much of it probably in crusading endeavors. As we shall see, the letter has much to say concerning the Crusades; the author's negative observations may be in part related to the utilization of sequestered funds for the ventures to Outremer.

While these are the major innovations to which the Jews objected, there is one more issue, not listed in the opening indictment, which aroused the Jews. This was the matter of special privileges to Crusaders. The history of these rights is long and complex. For our purposes it is sufficient to note that, at the beginning of the thirteenth century, ecclesiastical demands escalated, eliciting powerful opposition from secular authorities.[26] The classical Church stance was articulated in the provisions of the Fourth Lateran Council of 1215. These demands included: (1) remission of past usury; (2) a moratorium on the payment of the principal; (3) reduction of the principal through reckoning of the income produced by the pledge left with the creditor.[27] Secular authorities

24 See Chazan, *Medieval Jewry in Northern France*, 110–121.

25 M.M., 80a. This section reflects once more the newness of the royal anti-usury campaign in the south.

26 See Chazan, *Medieval Jewry in Northern France*, 81–82.

27 Grayzel, *The Church and the Jews in the XIIth Century*, # XIII.

generally refused to enforce these stipulations. In France, the standard governmental position, enunciated by Philip Augustus prior to his departure for the Crusade and reiterated by him in 1206, was simply a moratorium on payment of the obligation.[28] This procedure, to which the Jews objected, is reflected in the following:

> Anyone who borrows and does not repay is designated "a wicked one who will not go free." However, you trust the wicked to save you. For you stipulate for anyone who accepts the cross to journey to Outremer that he be free of the obligations of paying his debts for two or three years, as agreed upon with the pope or with the kings. In fact it would be better for you to order that anyone who is steadfast in his wickedness not journey abroad, so that he not cause disaster for others. For "not by mere strength shall a man prevail."[29]

There are thus in this Hebrew epistle interesting reflections of the damaging edicts of Louis IX. The author's purpose, however, was not simply to rehearse the ills imposed by the monarch. This catalogue of decrees was meant to serve as the prelude to a counter-attack. The task of the Jewish spokesman was to convince the king of the iniquity and inequity of his enactments.

Louis IX himself left no record of the factors which motivated his anti-usury campaign. One of the king's biographers, however, penned an appraisal of the monarch's motives. According to Guillaume of Chartres, Louis' attack was questioned sharply by a number of his advisors. They contended that all societies needed moneylending, which might better be carried on by Jews, who are damned anyway, than by Christians. It was further claimed that in practice the Jews were actually more benign than their Christian counterparts. To these pragmatic arguments, Louis was supposed to have answered in the following fashion:

> Matters relating to Christians who lend money and to their usury seem to be the concern of the prelates of the churches. To me, however, pertain matters relative to the Jews—who are eternally subjected to me in servitude—, that they not oppress Christians through usury and that they not be permitted, under the shelter of my protection, to engage in such pursuits and infect my land

28 H.-François Delaborde, *Recueil des actes de Philippe Auguste* (3 vols.; Paris, 1916–66), I, #99, and II, # 955.

29 M.M., 72b. The closing quotation is from I Sam. 2:9. Translations will be taken from *The New English Bible*. After the verse from I Sam. the author adds a series of Biblical texts on the same subject.

> with their poison. Let those prelates do what pertains to them concerning those subject Christians; I must do what pertains to me concerning the Jews. Let them abandon usury or they shall leave my land completely, in order that it no longer be polluted with their filth.[30]

According then to Guillaume, it was Louis' view of his special responsibility for the Jews and his conception of the sinfulness of usury that led him to his assault on Jewish lending.

The Jewish author of the complaint to Louis seems to concur in his evaluation of royal motivation. The writer condemns the king unsparingly for the harm he has wrought upon the Jews. Nonetheless, he does not see the royal program as rooted in willful hatred and violence; its source is rather a set of misguided religious and political views, which had to be vigorously combatted. In fact the Jewish correspondent seems to agree with Guillaume as to the paramount issue. In his elaboration of the sins which the new legislation entailed, the Jewish spokesman begins with the serious transgression of breach of faith, i.e. disruption of the age-old tradition of royal protection of the Jews. After dealing at length with this trespass, the author strikes bedrock.

> If the king claims that he does all this in order to remove the sin of usury from the land, we shall respond in three ways.[31]

These three responses are crucial to every other contention in the epistle. It is only upon the foundation of the permissibility of Jewish usury that the religious and political arguments advanced could be convincing.

The first of these three responses involves a weighing of transgressions. Granting for a moment that usury is sinful, even then the king's actions would be unacceptable.

> Even if there might be sin attached to usury, as you claim, it would be better to suffer that single sin than to transgress many serious transgressions, as we have indicated.[32]

This is a reference to the list of thirty-seven royal trespasses which

30 *Recueil des historiens des Gaules et de la France*, XX, 34.

31 M.M., 68a. The similarity to the formulation of Guillaume of Chartres is notable.

32 *Ibid.*, 68a–68b. Note especially the repeated contention that breaking an oath is even more sinful than paying usury. Interestingly, according to the Decretales, if an oath were given, usury had to be repaid—II, XXIV, c. 6.

the author had drawn up. One senses that this is not really a weighty argument in the Jew's arsenal.[33]

The second contention, also founded on a provisional recognition of the sinfulness of usury, represents once more a balancing of iniquities. The tack is far cleverer.

> It would be better for the king to suffer it (the sin of usury) on the part of the Jews, who are not of his faith and whom he has no obligation to force into his faith, than to bring death to men of his faith by causing them to transgress in public. For, if he were to order an investigation throughout his kingdom, he would find that from the time that he forbade usury to the Jews there have multiplied among the members of his faith, the Christians, usurers far harsher than were the Jews. Also many circumvent the prohibition through business dealings, by selling at one-half or one-third higher than value as recompense for extending the time of payment. . .[34] In that way the lender loses more than he would give to the Jews as usury for the entire year. Thus you see that the king preserves from sin those who are not members of his faith and leads to sin those who are.[35]

These arguments, strikingly similar to those recorded by Guillaume of Chartres, were based on parallel views of the inevitability of moneylending in all societies. Proof in fact was drawn by the Jewish observer from the king's own administrative affairs.

> For it is impossible for society to exist without lending. Indeed the king himself, whose wealth is very great, has been forced to borrow at high interest a number of times. Likewise his officials borrowed many times for the purpose of protecting his land while he himself was in Paris or the royal domain, until he sent the funds for paying his officers and servants, the guardians of his fortification.[36]

Since moneylending is an economic necessity, the Jewish author comes to a conclusion diametrically opposed to that which Guillaume attributes to the king himself.

33 Indeed, if usury were prohibited to the Jews, many of the royal transgressions enumerated would not have been sins; they would simply have been part of a campaign to extirpate the illicit.

34 For this technique see, e.g., John Noonan, *The Scholastic Analysis of Usury* (Cambridge, Mass., 1957), 107–112, and John Baldwin, *Masters, Princes, and Merchants* (2 vols.; Princeton, 1970), I, 274–275.

35 M.M., 68b.

36 *Ibid.*

> Since society cannot exist without lending, it would be better for the salvation of his soul that he permit the Jews to lend at usury, since they are not members of his faith and he has no obligation to force them to adhere to his belief, rather than causing Christians to transgress their faith since they are members of his faith and the sins which they commit because of him are attached to his soul.[37]

It was, according to Guillaume, concern for his soul that moved Louis to undertake his program, since he saw the Jews as his own special religious responsibility. Here the Jewish author argues in opposite fashion that, given the inevitability of usury, the king's own soul would emerge purer if he were to eliminate Christian usury, rather than that of the Jews.

While the second response is forceful, it is the third argument that is developed most extensively and that is the key to the Jewish opposition to the royal program. The Jews claim that, on the grounds of both Scriptures and reason, usury is in no way sinful for them.[38]

> Usury was not prohibited according to the simple meaning of our Torah as given by God.[39] It was only ordered not to take interest from the poor. This is true even in dealings between Jew and Jew. It is written in the book of Exodus: "If you advance money to any poor man amongst my people, you shall not act like a money-lender: you must not exact interest from him."[40] Likewise in the book of Leviticus, at the end, it is written: "When your brother-Israelite is reduced to poverty, . . . you shall not charge him interest on a loan, either by deducting it in advance from the capital sum, or by adding it on repayment."[41] Thus the Torah warned only

37 Note that, according to Stephen Langton, it is more sinful to pay usury to a Christian than to a Jew—quoted in Baldwin, *Masters, Princes, and Merchants*, II, 193, n. 28.

38 For a sketch of some of the views on the sinfulness of Jewish usury during the period, see Benjamin Nelson, *The Idea of Usury* (Princeton, 1949), 9–18.

39 This is an important statement. The author claims to be basing his argument on the simple meaning of Biblical law. He does so because Christian concern is with Biblical regulation and not with Rabbinic interpretation. It should be recalled, in addition, that by the 1250's the royal assault on Talmudic literature was well underway, making it most impolitic for a Jewish spokesman to refer to Rabbinic legislation.

40 Exod. 22:24. *The New English Bible* translates: "You must not exact interest in advance from him." We have diverged from this translation, in order to present the verse as the Jewish author understood it. Clearly he saw it as a total prohibition of interest from the poor.

41 Lev. 25:35–36.

> against taking interest from the poor, even in cases involving Jews. Now even though in Deuteronomy, where Moses taught the Israelites, it is written simply: "You shall not charge interest on anything you lend to a fellow-countryman, money or food,"[42] without distinguishing between rich and poor, it must be said that the Torah depended on what was made explicit elsewhere, in the places which we have noted. When it said: "You shall not charge interest to a fellow-countryman," it meant from the poor.[43]

This is an unusual position to be sure. It must be remembered, however, that the writer is claiming to analyze Biblical law, which contains the precepts which the Christian world accepted as divine and which Louis and his circle were invoking for their program.

Having set forth his understanding of Biblical law on usury, the author next seeks to explain the rationale for this law. He begins by citing what is to him a mistaken Christian view.

> One of your sages has said that the Torah permitted usury from the foreigner since it is permitted to war against him and to seize his money and his person, but it did not permit usury to anyone else. This, however, is not at all correct.[44] For if the Torah spoke of a foreigner from whom it is permitted to seize his money and his person, it would not have been necessary to permit usury. The Torah would only have said: "Seize his very person." Moreover, if the matter is as he (the Christian sage) says, then why did the Torah not speak similarly in the injunction not to steal and not to do violence and not to rob and not to oppress the hired man and not to pervert justice and to keep one's distance from the lie? Why did it not make a distinction between the fellow-countryman and the foreigner and between the poor and the rich, as it did in regard to the commandment concerning usury? Rather the true interpretation is that all the aforesaid acts are prohibited whether towards a fellow-countryman or a foreigner, since they constitute robbery and injustice. Lending without interest, however, is a great kindness. Therefore there is no warning against taking usury, except from an impoverished fellow-countryman. . .[45]

42 Deut. 23:20.

43 M.M., 68b–69a. This view of the Biblical commandment on usury is followed consistently in M.M. See Stern, "A Disputation on Moneylending," 54, and *idem*, *Jewish-Christian Disputations*, 12–14.

44 This is a most interesting Jewish reference to the Ambrosian formulation. In another section of M.M., the archbishop of Narbonne argues that, since he and other Christians of Narbonne have been firm friends of the Jews, usury can surely not be taken from Christians. It is against the background of such claims that the author rejects so resolutely the Ambrosian view. For Christian wrestling with the Ambrosian view see Nelson, *The Idea of Usury*, 9–18.

45 M.M.. 69b.

The notion of usury as a reprehensible act, permitted only as a reflection of the constant state of war with certain segments of the non-Jewish world, is firmly rejected. Instead the author proposes that there is nothing intrinsically immoral in lending at usury. Rather the Torah deals only with a highly specialized case, that of an impoverished Israelite, enjoining unique consideration and kindness through a repudiation of the legitimate profits of usury.

The writer contends that this is the simple meaning of the well-known Biblical verses. He further claims that this position is necessitated by reason as well.

> Indeed this is a conclusion which reason demands. For why should I be held guilty if I lend money at interest to a wealthy man? Why should he profit through my money and I not profit along with him.... Likewise for a poor man who is not of my faith and religion, I am not fully responsible for granting him the unusual kindness of lending him money interest-free. Rather I must occasionally give him charity along with the poor of my own people.[46]

Having argued both on Scriptural and rational grounds, the Jewish spokesman proceeds to buttress his case through an appeal to prior royal practice. He suggests that the previous royal willingness to enforce Jewish loans serves in itself as an indication that usury is both permissible for the Jews and supportable by the government.

> Now after all the foregoing, why should my lord the king change his ordinances and his laws and his customs which he and his fathers and his fathers' fathers observed with regard to us and our fathers and our fathers' fathers. For indeed you also observed this custom for a long time in the matter of obligations owed to us.[47] When there were claims before your judges concerning obligations and interest, the judge would correctly order the lender or his guarantor that he repay all. Since this is the case, why should you change your law and the laws of your fathers, taking away our money and robbing us, despoiling us and doing violence without warning.[48]

This is a claim that can be advanced only after the legitimacy of taking interest has been established, since a custom is null and void if found to contradict the dictates of faith. Nonetheless, it is a powerful auxiliary appeal on the part of the Jews, both for the theoretical permissibility of

46 *Ibid.*, 70a.

47 This is once more a reflection of the newness of the royal program in the south.

48 *Ibid.*, 70a–70b.

usury—how can so many distinguished kings have been wrong?—and for practical resumption of the old ways.

This line of thinking is reinforced by adducing the stand of the central ecclesiastical authorities of western Christendom.

> Moreover thus is it written in the Codex, which contains the laws of the pope, that there is an obligation to bring Jewish loans to judgment, to enforce them, and to see to their collection, up to a specified sum for merchants on the one hand and for orphans on the other. There it speaks at length on the matter of enforcing usury as I have written.[49] For if he explains it according to your views, he would not have permitted that which is forbidden explicitly in the Torah without some reason. Moreover, the bishops and the priests, along with the cardinal who came from the pope, likewise agreed to permit up to twenty percent interest. This was the custom of the previous bishop and the rest of the bishops of these lands. . .[50] Therefore it would be fitting for you to return your laws to their former state.[51]

With this the author concludes his lengthy argument for the propriety of Jewish moneylending at interest. This set of contentions underlies all the rest of the letter. Since usury is perfectly permissible, then the royal assault is stripped of its justification. It is on this basis that the writer castigates the king for the many sins associated with his campaign against Jewish lending and predicts dire retribution for these iniquities.

At the beginning of his explication of the transgressions associated with Louis' legislation, the author attacks the legal impropriety of the royal acts. The first sin discussed is breach of faith. Exposition of this affront is lengthy, far exceeding any of the rest. It is here that the key political issues are joined.

The Jews of France, contends the writer, are the heirs of a long tradition of royal protection, based on a historical record of contribution to the monarchy and royal recognition of the boons conferred by the Jews. The author tells the story of the Jew who saved Charlemagne's life and

49 It is difficult to identify this reference. None of the major collections of canon law would correspond to the author's description. Perhaps the kernel of this depiction lies in the inclusion of the IV Lateran prohibition against immoderate usury in the Decretales—V, XIX, c. 18.

50 This is perhaps a reference to the Council of Narbonne of 1227—see Grayzel, *The Church and the Jews in the XIIIth Century*, # IX. This council repeated the IV Lateran prohibition against immoderate usury, which may underlie the Jewish claim of permission of interest up to twenty per cent.

51 M.M., 70b–71a.

of the rewards bestowed by the emperor on that Jew and his peers.[52] Whatever the truth of the account, this is a vigorous appeal to an enduring legacy of royal preservation of Jewish life and property.

In fact this argument transcends the past. Not only does the Jew claim a historical responsibility on the part of the king, he adds that the bond was reinforced by the benefits which Louis himself had enjoyed from his Jews.

> We have an additional weighty claim against the king and his advisors, obligating him to preserve our life and property. It is widely known that the king and his forefathers collected a heavy tax from the Jews under their jurisdiction on many occasions, to give to his troops and to capture areas of the kingdom and to entrench their rule and to increase usefully funds for their treasury and their expenses. Now the king has much money as a result of that which he and his ancestors accomplished through the use of the Jews' silver and gold and property. Now, when he should have treated them well and lightened their burdens, he has broken the bonds of his ancestors and their convenant. . . . [53]

On both past and present grounds, the author demands an end to the breach of faith which the new legislation embodies.

Later in the letter, the author addresses himself to a series of rationales which had been proposed—or might have been proposed—as justification for the royal enactments. In each case the suggestion is carefully combatted.

The most radical proposal advanced is that the Jews as non-believers are afforded no fundamental protections in the Christian world.

> Perhaps you will say that your covenant stipulates that whoever is not baptized will not merit salvation and that therefore you are unconcerned about their death.[54]

This is an extreme position, for which there is no known reflection in the official Christian literature of the period.

The Jewish correspondent does not go to great lengths to refute this unusual contention.

> Indeed you acknowledge that the remnant of Israel will be saved, even if they be as numerous as the sand of the sea which cannot

52 *Ibid.*, 67a–67b.
53 *Ibid.*, 68a.
54 *Ibid.*, 78a.

> be measured nor counted because of its numbers. Thus is it written in the book of Hosea and in your books.[55]

The position espoused here is in fact widely repeated in medieval Christian sources, perhaps most strikingly in the papal *Constitutio pro Judeis*.[56] It is true of course that there was a total divergence between the Jewish and Christian views of the ultimate salvation of the Jews—for the former it meant redemption as Jews, while for the latter it meant conversion. This difference notwithstanding, there was agreement on the fundamental protection which this future salvation conferred upon medieval Jewry.

A lively issue during this period concerned the royal right of legislative innovation. This matter was not overlooked by the Jewish claimant; he dealt with it directly, recognizing the rapidly developing royal prerogatives, but claiming certain key limitations to monarchical powers.

> If you claim that it is within the king's power to institute new ordinances and laws, that power was not given him so that he might commit injustice and oppression and breach of faith and murder. For in that case he would be like Pharaoh the king who instituted new ordinances for the Jews under his rule, that they build store-cities. . . .[57]

The question of royal legislative rights is raised and the monarch's privileges are in no way denied. The extent of these rights, however, is carefully delimited. The king, it is claimed, does not enjoy the prerogative of introducing vicious and destructive new legislation.

Not only is there consent to the royal right of legislation in general, there is a most interesting reflection of special Jewish status and unusual royal prerogatives vis-a-vis the Jews. The development of the Jewish status of servitude in both ecclesiastical and secular circles is lengthy and complex.[58] It is highly significant that the first major expression of this conception in France came in Louis' Melun Ordinance. In the clause outlawing the retention by one baron of the Jew of another, the edict stipulates that, when a Jew is found in the domain of another, he might be seized by his original overlord "tanquam proprium servum."[59] It is clear from Guillaume of Chartres that Louis took the notion of Jewish servitude seriously, embellishing it with overtones of religious

55 *Ibid.*, 78a–78b.

56 See Grayzel, *The Church and the Jews in the XIIIth Century*, # 5.

57 M.M., 82a.

58 For a recent and comprehensive statement on this, see Salo Baron, *A Social and Religious History of the Jews* (2nd ed.; 14 vols.; New York, 1952-), XI, 3–76.

59 *Layettes du Trésor des Chartes*, II, # 2083.

responsibility. Since the Jews were subjected directly to him, he was morally liable for the acts which they committed in his kingdom.[60] The notion of Jewish servitude was of course known to the Jews and resisted vigorously at the beginning of the thirteenth century. In our source, stemming from the 1250's, a shift has taken place.

> If you claim that we are taxable and that all we possess belongs to you and may be taken at will,[61] behold the tribute that the Israelites levied on the Gibeonites. The latter were part of the peoples concerning whom it was said: "You shall not leave any creature alive."[62] Yet the Israelites only levied upon them that they become hewers of wood and drawers of water for the House of the Lord. They did not take their possessions and their property any time they wished, so that they remain poor and impoverished and die of hunger.[63]

There is here no fundamental opposition to the notion of Jewish servitude and the right of taxation which such status implied. All that could be argued was the limitations which moral behavior imposed upon the overlord.

In the course of his letter to the king, the Jewish correspondent makes numerous references to the situation of the Jews. Some of these observations are unquestionably influenced by the needs of the case which he attempted to lay before the monarch. Nonetheless, an interesting portrayal of the Jewish condition emerges, particularly with the addition of a few passages that were obviously not intended for royal eyes.

Fundamental to the Jewish argument is the recognition of the degraded circumstances of contemporary Jewry. At the very outset of the missive, the author calls upon the king to emulate the divinity by being particularly receptive to the plaints of the poor and the downtrodden. This theme recurs often throughout the epistle.

Another set of widely-repeated images identifies the Jew as a stranger, a mere sojourner in another's land. Thus, e.g., one of the sins specified in the royal program is oppression of the stranger. Close to the end of the work there is a strong appeal to the monarch based again on the

60 *Recueil des historiens des Gaules et de la France*, XX, 34.

61 For such claims see, e.g., H.-François Delaborde, *Oeuvres de Rigord et de Guillaume le Breton* (2 vols.; Paris, 1882–85; *Société de l'histoire de France*), II, 22.

62 Deut. 20:16.

63 M.M., 78b.

notion that the Jews are entitled to the special protection due the stranger.[64]

The most striking image invoked depicts the Jew as slave, or more properly, serf. This designation has more than poetic force; this is, as noted, a legal issue during the thirteenth century. The Jewish spokesman does not deny Jewish serfdom. He does claim strenuously that there are limitations to the exploitation of this group of serfs.

The Jewish spokesman does not, however, depict only these negative aspects of Jewish status. For the purposes of his argument to the king, he introduces other facets of the Jewish condition; more important, out of a concern for Jewish self-respect, he emphasizes Jewish dignity and esteem—past, present, and future.

In his discussion of Jewish political status, the author claims a tradition of royal protection for the Jews. This legacy in itself mitigates somewhat the contrasting portrait of the Jews as royal serfs. It is particularly noteworthy that this heritage, while rooted in an ancient instance of Jewish bravery and military prowess, is buttressed by ongoing Jewish contribution to the welfare of the monarchy.

Jewish dignity is moored, for the writer, in theological considerations. The degradation which he recognizes in Jewish circumstances is for him the result of Jewish sinfulness. Unlike his Christian contemporaries, he does not see this iniquity as ineffaceable nor its punishment as everlasting. There is ongoing divine concern with the fate of the Jews and there will ultimately be a reversal of fortune, with the Jewish people taking its rightful place on the human scene. At one point, in fact, a heavy sigh of longing for this redemption escapes the author's pen.

> Enough of this pain of exile! Enough of our painful status under the rule of the nations—because of our sins—rather than our ruling over all of them.[65]

Most remarkable is the sense that perhaps the process of redemption had begun. Royal fate in Outremer suggested to the Jewish observer that divine retribution for the sins of Louis was under way. More broadly, developments in the Holy Land awakened hopes that perhaps more far-reaching changes were in the offing. It is with these yearnings, not meant for the Christian reader, that the epistle closes.

This final section begins with recall of the Purim story, an earlier instance of Jewish degradation and sudden redemption. From this prior case, the author moves to signs on the horizon that perhaps such a radical shift in fortune might recur.

64 *Ibid.*, 81a.
65 *Ibid.*, 78b.

> Indeed we see every day that he fulfills prophecies concerning those not of our faith who dwell in the land of our inheritance. It is said: "I will destroy your land, and the enemies who occupy it will be desolate along with it."[66] This we see every day, for that land is desolate and barren, and all of them are desolate on its account—sometimes the Moslems and sometimes the Christians. No people comes there without being punished.[67] Since we see that this promise has been fulfilled, we must trust in the Creator that he will fulfill the promise which he made at the close of the same section: "I will remember my covenant with Jacob and my covenant with Isaac, yes, and my covenant with Abraham, and I will remember the land."[68]

It is significant of course that this is the note on which the author chooses to end. Throughout the letter, there is vacillation between pleading and demanding; the writer presents his fellow-Jews sometimes as a downtrodden people and sometimes as a group dignified by divine election and by their own human qualities. The forceful tone of this concluding observation and the optimism with which the letter ends reveals a Jewish community weighed down by heavy problems, but far from broken in spirit.

66 Lev. 26:32. I have again adapted the translation slightly.

67 A similar statement on the desolation of the Holy Land, made from first-hand observation, is available in the letter of R. Moses b. Naḥman to his son—see Chaim Chavel, *Kitvei R. Moshe b. Naḥman* (3rd. ed.; 2 vols.; Jerusalem, 1968), I, 367–368. In the extensive polemical arguments against Christianity in later sections of M.M., the desolation of the Holy Land as an indication of the failure and falsity of Christianity is widely adduced.

68 M.M., 82b–83a. The closing quote is from Lev. 26:42.

OLATH TAMID BY DAVID EINHORN

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David Einhorn, "the Uncompromising Champion of Reform"

KAUFMANN Kohler, Einhorn's illustrious son-in-law and a pre-eminent figure in American Reform Judaism at the turn of the century, spoke of the author of *Olath Tamid* as "the uncompromising champion of Reform."[1] The adulatory tribute that it is, the phrase does to a large degree encapsulate Einhorn's zestful and tumultuous career as rabbi, leading theoretician of American Reform Judaism, liturgist, editor, controversialist, preacher, and abolitionist. Born in Dispeck, a small village in Bavaria, on November 10, 1809, Einhorn came under the tutelage of Rabbis Wolf Hamburger and Joshua Moses Falkenau at the famed yeshivah of Fürth—where many of the leading German rabbis of the century received their training—obtained his *morenu* diploma at

* Key for abbreviations used in the body of the essay and in the footnotes:

AI — Benjamin Szold, *'Abodath Israel*, rev. Marcus Jastrow, Philadelphia, 1873.

GV — Leopold Zunz, *Die gottesdienstliche Vorträge der Juden historisch entwickelt*, Frankfurt am Main, 1892.

Hamburg GB — *Seder ha-'Avodah: Gebetbuch . . nach dem Gebrauch des Neuen Israelitischen Tempels*, 2nd ed., Hamburg, 1841.

JG — Ismar Elbogen, *Der jüdische Gottesdienst in seiner geschichtlichen Entwicklung*, 3rd ed., Frankfurt am Main, 1931.

JPSA — The Jewish Publication Society of America

MA — Isaac M. Wise, *et al.*, *Minhag Amerika, Daily Prayers*, Cincinnati, 1872.

OP — Leo Merzbacher, *Seder Tefillah, The Order of Prayer for Divine Service*, 3rd ed. Samuel Adler, New York 1864.

OT — David Einhorn, *Olath Tamid, Gebetbuch für Israelitische Reform-Gemeinden*, Baltimore, 1848.

SRSG — Israel Davidson, *et al.*, *Siddur Rav Saadiah Gaon*, 2nd ed., Jerusalem, 1963.

UH — Central Conference of America Rabbis, *The Union Haggadah*, Cincinnati, 1923.

UPB — Central Conference of American Rabbis, *The Union Prayerbook for Jewish Worship*.

WUPJ — World Union for Progressive Judaism.

1 Kaufmann Kohler, "David Einhorn, The Uncompromising Champion of Reform, A Biographical Essay," *Yearbook CCAR*, XIX (1909), 215–270.

the age of seventeen. Later he was to attend the universities of Würzburg and Munich, where Friedrich Schelling, the German Romantic philosopher, was in vogue. The impact of the secular and academic world became evident in Einhorn's mounting attraction to liberal principles in political and philosophical spheres as well as religious. The steady demand for intellectual and theological rigor were soon to engage him in frequent controversy. Before he occupied his post as *Landesrabbiner* (district rabbi) in Birkenfeld in 1842, he encountered one difficulty after another for his progressive views. It was during his tenure at Birkenfeld that Einhorn participated in the last two of the *Rabbinerversammlungen* of the middle 1840s, in the Frankfort-am-Main Conference as member of the commission on liturgy and in the Breslau conference as chairman of the commission on the dietary laws and as referee for the commissions on the Sabbath and on the status of women. Here in these conferences he made known his advanced views on the use of the vernacular, the sacrificial cult, the levitical rites, Zion and messianism.[2] He announced his position on the Sabbath as *ot*—and as a better one than *milah* since women are not left out of the observance of the former institution.[3]

After he acceded in 1847 to the post of chief rabbi vacated by Samuel Holdheim in Mecklenburg-Schwerin,[4] Einhorn was recommended by Holdheim[5] to serve, beginning in 1849, the Reform congregation at

2 David Philipson, *The Reform Movement in Judaism,* rev. ed., New York: The Macmillan Company, 1931, pp. 167, 175, 215.

3 Kohler, "David Einhorn, The Uncompromising Champion of Reform," p. 240. Compare Kohler's two sermons, "Are Sunday Lectures Treason to Judaism? 1888" and "The Sabbath Day and the Jew, 1891," both of which are to be found in *A Living Faith,* Cincinnati: Hebrew Union College Press, 1948, pp. 19–41.

4 Here in Mecklenburg-Schwerin, too, Einhorn provoked a storm of controversy when he blessed a male infant in the synagogue even though the father had refused on principle to have the child circumcised. Franz Delitzsch, a Lutheran professor of theology and missionary to the Jews, gave notoriety to the event by pointing out the illicit character of such an act. A lively exchange with its inevitable battery of biblical and rabbinic texts then ensued (*Sinai,* II [1857], 735ff.). Einhorn's sardonic clincher was "Professor Delitzsch aims by his insistence on circumcision to force the Jew to knock at the door of the Christian Church for emancipation from the yoke of the Law" (Kohler, "David Einhorn, the Uncompromising Champion of Reform," p. 238). Incidentally, the entry on David Einhorn in the *Encyclopedia Hebraica,* IV, 918, includes the assertion ואפילו הטיף לביטול המילה which none of my reading in Einhorn thus far substantiates. On the contrary, Kohler tells us: "Dr. Wise's proposition to admit proselytes without circumcision, Einhorn opposed for the reason that Judaism is not a proselytizing religion and desires to admit only such elements as would join it from a purely religious motive" ("David Einhorn, The Uncompromising Champion of Reform," p. 263).

5 With the strong affinity between Holdheim and Einhorn, two strong-

Budapest, where Einhorn's religious and political views aroused the suspicions of the Austrian government and the opposition of the Orthodox.[6] The result was the closing of the Reform synagogue in 1852 and an enforced leisure for Einhorn during which he wrote the first volume of his formative *Prinzip des Mosaismus und dessen Verhältnis zum Heidenthum und rabbinischen Judenthum* (Leipzig, 1854).

Even in his beloved America, on whose shores he arrived in 1855 to assume the pulpit of the Reform Har Sinai *Verein* in Baltimore, Einhorn was to suffer for his convictions—this time regarding the then volatile indigenous issue of slavery. Not long after his landing in Baltimore, Einhorn entered the fray with his rejection of the 1855 Cleveland Conference convened by Isaac M. Wise, Max Lilienthal, and others for the purpose of striking a *modus vivendi* with the traditionalist camp. Since the Talmud was to act as the standard and, thus, a bond of unity, Einhorn and like-minded colleagues rose in arms and staunchly refused to yield on principle. This opposition created a rift in the Reform movement and lasted till virtually the end of the nineteenth century, when people like Einhorn's spiritual successor, Kaufmann Kohler, with pen and in person, performed a labor of reconciliation between the Einhorn and Wise factions.[7] Back in Baltimore the congregation that gave Einhorn free rein to experiment in the area of theoretical and practical Reform, including the publication of *Olath Tamid* and the outspoken monthly *Sinai*, and to which he in turn gave unstintingly, was to tactfully deny him freedom of the pulpit on the slavery question.[8] The innovative years of his lifework in the rabbinate, reaching its apex in Baltimore, led to an anticlimactic period (aside from his active part in the Philadelphia Conference of 1869) in Kenesseth Israel of Philadelphia after his flight

willed and restless men, in the professional, theological and liturgical realms, differences soon began to assert themselves. It was a case of a disciple going beyond the teachings of his master and forging his own outlook. The estrangement notwithstanding, Holdheim's imprint lasted, without holding the prize follower in thrall. This development in the relationship between the two will become more readily apparent in the comparison below of the respective liturgies of Holdheim and Einhorn.

6 "After the supression of the revolution and the collapse of the Kossuth movement the reactionary elements were in power, and reform of whatever kind found little favor with the government" (Philipson, *The Reform Movement*, p. 282).

7 Wise did, however, attend the Philadelphia Conference initiated by Einhorn.

8 Salo W. Baron, *Steeled by Adversity*, Philadelphia: JPSA, 1971, p. 145; W. Gunther Plaut, *The Growth of Reform Judaism*, New York: WUPJ, 1965, pp. 15–17.

from Baltimore in 1861, and in Adath Yeshurun of New York City, which he served from 1866 until his death on November 2, 1879.

The impression generally gained from such a cursory review of David Einhorn's life is that of an unbendingly consistent, intrepid reformer. The main outlines of the man's biography would certainly seem to confirm that impression. Yet, terminological connotations do shift, as today's radical could easily turn into tomorrow's conservative, while, conceivably, yesterday's conservative might be cited favorably by contemporary liberals. Hence, Einhorn's reforming career may well call for a closer scrutiny and, possibly, for a reassessment or, at least, some qualification. For instance, from his labelling the platform of the Frankfort *Reformverein*, *the* radical Jewish group within Germany in 1843, as a "confession of unbelief,"[9] we may be able to calibrate and ascertain roughly Einhorn's own standpoint. Despite his aversion to making the Talmud the norm,[10] as proposed at the Cleveland Conference, Einhorn was clearly no Karaizing anti-Talmudist. His declaration

> However strong our belief in [the Talmud's] veracity may be, we must refuse and reject such deification; we address the Talmud in these words, "Israel believes thee, but not in thee; thou art a medium through which the divine may be reached, but thou art not divine"[11]

should be proof enough of that. Einhorn was no uncritical supporter of Holdheim's conception of the Sabbath as merely symbolic, nor was he as ready as his elder colleague to permit any transfer of the day to Sunday.[12] Moreover, intermarriage was plain anathema.[13]

As the few examples above show in part and the analysis of his liturgical work to follow will attest, the Reform Einhorn strove to cultivate was an expansive and open-minded one that invariably grounded itself in and presupposed an undiminished concern for form and structure. The edifice of Judaism was to be refurbished inside and out, according to given specifications and carefully thought-out criteria, so that the edifice

9 Philipson, *The Reform Movement*, p. 123.

10 Philipson, *The Reform Movement*, p. 69; W. Gunther Plaut, *The Rise of Reform Judaism*, New York: WUPJ, pp. 119–122; Plaut, *The Growth of Reform Judaism*, pp. 14–15.

11 Quoted in Philipson, *The Reform Movement*, pp. 69–70.

12 Bernhard N. Cohn, "David Einhorn: Some Aspects of His Thinking," *Essays in American Jewish History*, Cincinnati: American Jewish Archives, 1958, pp. 320–321; Philipson, *The Reform Movement*, pp. 206, 344; cf. Holdheim's understanding of the Sabbath, in Plaut, *The Rise of Reform Judaism*, pp. 190–195.

13 Baron, *Steeled by Adversity*, p. 378; CCAR, *Rabbi's Manual*, Cincinnati, 1928, p. 175, n. 1.

might truly and resplendently abide until the messianic time. An examination of Einhorn's *magnum opus, Olath Tamid,* the burden of this essay, should help make clearer those axioms that underlay and undergirded his style and brand of Reform.[14]

The Title

It is unusual for a title of a Reform prayerbook to bear the sacrificial, cultic overtones that *Olath Tamid* does. Old prayerbooks would often carry titles indicating authorship (*Tzelota de-Avraham*), place of origin (*Maḥzor Vitry*), or, simply the fact that this is a prayerbook (*Hegyon Lev*). Reform prayerbooks, European and American, continued to take names of the type borne by Orthodox *siddurim.* Less common, particularly among Liberal prayer manuals, is the use of a title pertaining to the ancient Temple worship, on the basis of Hos. 14:3—e.g. *Qorban Yehudah, 'Olat Reayah.* What, then, moved David Einhorn to utilize the unmistakably cultic "continual burnt offering" for the designation of his liturgical work?

The title, as we shall see, is especially apposite, and even characteristic of Einhorn. In his aforementioned *Das Prinzip des Mosaismus,* Einhorn presents his theory of Mosaism in contradistinction to Rabbinism. Equating Judaism with Mosaism, as Einhorn does here, leaves us with one bewildering problem: what to do with the entire ceremonial complex, the sacrificial apparatus which accompanies the Mosaic moral code. Einhorn draws a sharp line of demarcation between the Mosaic cult, which is of only passing, pedagogic, and symbolic value, and the Mosaic theology and ethics, which comprise eternal truths.

For Einhorn—and for Isaac M. Wise, too—the revelation at Sinai was an epoch-making and real event. The scriptural details depicting the event are peripheral, subsidiary to the momentous encounter between God and Israel. The written Torah limns the physical and spiritual implications of that event in the life of the people. Einhorn was in touch with the findings of biblical criticism of his time, and was not at all averse to integrating these results in his system. But the results of scholarly inquiry did not impinge upon the Pentateuch's unshakable core, the central phenomenon of the revelation at Sinai and the concomitant

14 *Olath Tamid* made its first appearance in Baltimore in May 1856 and was published in complete form in 1858. Emil G. Hirsch, another famous son-in-law, was the author of a translation, with some revision, that came out in 1896. An earlier and rather uninspired rendition appeared in print in 1872.

determination of Israel's destiny. Thus, the Torah was fundamentally and manifestly the word of God.[15]

With the distinction Einhorn exercised between the ceremonial and moral levels in the Torah, he revered the Torah as a reliable testimony of Israel's divine appointment. This reverence is attested in Einhorn's craftsmanlike handling of biblical texts in the course of his sermons and in his skillful incorporation of the same in his original prayers. The triennial cycle adhered to in Einhorn's congregation, and in others as well, covered the entire contents of the Pentateuch just as the one-year cycle does, in contrast to the haphazard, faulty reading of snippets which obtains in many Reform temples today. For Einhorn and his nineteenth-century confreres the Torah was clearly the *verbum Domini.*

Divinely ordained, the sacrifices mentioned in Torah could not be irreverently tossed out as utterly worthless.[16] The third article of the Philadelphia Conference's platform reads:

> The priestly service of the Aaronites and the Mosaic sacrificial cult were only preparatory steps for the true priestly service of the whole people which in fact began with the dispersion of the Jewish nation. For inner devotion and ethical sanctification are the only pleasing sacrifices to the All-Holy One. These institutions which laid the groundwork for higher religiosity went out of existence once and for all when the second Temple was destroyed. And only in this sense have they educational value and may they be mentioned in our prayer.[17]

Which brings us to the question of the mention of cult in *Olath Tamid,* and how the title of the book came to be. The choice of the phrase tells us much about the hope Einhorn harbored regarding his prayerbook—i.e., that it aid the worshiper in rendering a *Ganzopfer,* a perfect offering most pleasing to God—and about the intense religious personality of the

15 Cohn, "David Einhorn: Some Aspects of His Thinking," pp. 317–320; Kohler, "David Einhorn, The Uncompromising Champion of Reform," pp. 248–249; Philipson, *The Reform Movement,* pp. 344–348.

16 How deep Einhorn's attachment to the Torah was is reflected in his scriptural portions for Yom Kippur: the lesson for the Morning Service is the same as the traditional one, Lev. 16; for the Afternoon Service Lev. 19 is read *in its entirety.* The matutinal excerpt is not all that surprising: practically every Reform prayerbook at the time had it! It is the completeness of the afternoon reading that comes as a surprise. Szold's and Jastrow's *'Abodath Israel,* a proto-Conservative work, for example, gave just Lev. 19:1–18. The Festival lectionary in OT is invariably given in Hebrew, accompanied by a literal German translation. AI reproduces the Hebrew text alone, and then only for the High Holy Days.

17 This translation is taken from Plaut, *The Growth of Reform Judaism,* p. 30.

man. The other sacrifices, such as the peace-offering, were only partially consumed upon the altar, the remainder to be eaten by the priests and the one who brought the offering. Only the *'olah* was to be completely consumed on the altar, "an offering by fire of pleasing odor unto the Lord." So were man's offerings of the heart to be free of admixture, of deception—*tamim yaqrivenu.* Einhorn's stress on wholehearted ardor in worship is illuminating. Hegelian advance to the Absolute in history is attended by Romantic dilation on warmth and fervor in religious experience. It was Einhorn's wish that his prayerbook, stripped of anything that might be found objectionable, no longer tenable, or conflicting with the deep-seated beliefs of the modern Jew, would prove a true *'olah.*

Making the title even more appropriate was the name by which Einhorn's first American congregation chose to designate itself: Har Sinai.[18] The "perpetual offering," described in the biblical citation (Numbers 28:6) which Einhorn selected for his epigraph, was presented on Mount Sinai. The title, then, is also a dedication to his beloved Baltimore congregation.

Olath Tamid's Models

Einhorn had two types of models before him to guide him in the construction of the new prayerbook: (1) the concrete and practical, as in the Hamburg *Gebetbuch* and in Holdheim's *Gebetbuch für jüdische Reformgemeinden;* and (2) the theoretical and scientific, as in Leopold Zunz's *Die gottesdienstliche Vorträge.*

Structural Borrowings from the Hamburg Gebetbuch

The Hamburg *Gebetbuch* inspired the conception of *Olath Tamid*: (1) the pagination is also from left to right (and not from right to left as in the traditional Prayer Book); and (2) all the services of the year are comprehended within one volume, beginning with the Sabbath, on through the Festivals, the New Year, the Day of Atonement and the weekday, and terminating with matrimony, funerals, and a triennial lectionary. One omission from the arrangement shared with the Hamburg *Gebetbuch* stands out in *Olath Tamid*: circumcision. The Mecklenburg controversy with Franz Delitzsch in 1847 over the *sine qua non* character of *berit milah* may or may not explain the absence of the initiatory rite from *Olath Tamid.* Instead, the services for confirmation and the admission of proselytes, both of them non-existent in the Hamburg *Gebetbuch*, gain prominence in *Olath Tamid.* Whereas the Hamburg

18 Charles Rubinstein, *History of Har Sinai Congregation,* Baltimore, 1918.

book provides for the Ninth of Av service, complete with *eli tzion ve-'areha, Olath Tamid* confers a novel and unique service embodying Einhorn's understanding of the day as the Messiah's birthday.[19]

Einhorn places all his Evening Services towards the end of his volume —except those for Rosh Hashanah and Yom Kippur—so as to accentuate the Morning Services. Although the compilers of the Hamburg *Gebetbuch* modified the traditional sequel when they put the Sabbath and Festival services at the beginning of the book—as Einhorn did also—they introduced these sections with 'Arvit, or Evening Service. (For daily worship, however, the German revisers started, as in the Siddur, with Shaḥarit, or Morning Service, and ended with 'Arvit.) It is not unlikely that Einhorn's arrangement was spurred by Holdheim's procedure of accommodating Evening Services only for Rosh Hashanah and Yom Kippur.

As envisioned in *Olath Tamid*, Simḥat Torah was to be celebrated once every three years, in accordance with the triennial cycle of Torah readings. Einhorn's *Ausheben* (taking out of the Torah) for the Festival is but a slight modification of the Hamburg version. It begins with the chanting of Ps. 24:9–10. The lesson is followed by the choral singing of Ps. 150 and the Reader's recital of Josh. 1:8–9 in Hebrew. Apparently Einhorn forgot that these verses from Joshua were chosen for special recital here in the Hamburg *Gebetbuch*, since that book provided for no Haftarot. Inasmuch as he calls for the reading of Josh. 1 as the prophetic reading after the Genesis lesson, these added sentences are redundant.[20]

Structural Influences from Holdheim's Prayerbook[21] in *Olath Tamid*

Einhorn relies upon Samuel Holdheim[22] less for structural arrangement (the Berlin *Reformgemeinde* book being too non-conformist and arbi-

19 Cf. Yer. Berakhot II, 4, 5a.

20 Only in recent years has the UPB I (1940) recreated for this day a unique Simḥat Torah Service—replete with *haqqafot* and a modernized *kol ha-ne'arim,* which is a consecration of children just starting religious school. Our attention is directed to the revival of the Hamburg-OT Joshua quotation in the UPB after *ve-zot ha-berakhah.*

To be sure, the Sephardim had long been using these verses prior to the Return of the Scroll along with others of a hortatory nature. Of these passages the Hamburg GB preserved just the one from Joshua for Simḥat Torah.

21 An excellent description of the liturgy of the Berlin *Reformgemeinde,* before and after Holdheim, may be found in Jakob J. Petuchowski, *Prayerbook Reform in Europe,* New York: WUPJ, 1968, pp. 58–66.

22 Einhorn and Holdheim, radical Reformers, were good friends, and, in

trary) than for a handful of prayer-texts. Nonetheless, the idea of a separate service for each of the Pilgrimage Festivals, the dropping of the Musaf, and the limitation of the Yom Kippur ʻAmidot to three, for the Evening, Morning and Ne'ilah services only, all owe their origin to the Berlin manual. This is not to say that Einhorn goes as far as Holdheim in emptying the interval between the Morning and Ne'ilah sections.[23] On the contrary, Einhorn found suitable replacements for the Musaf and Minḥah repetitions, without necessitating the long afternoon recess.

Holdheim's brevity too became Einhorn's. The focus of the Berlin prayerbook upon the Shema and the ʻAmidah, with newly-composed paragraphs before the Intermediate Benediction, was taken over by *Olath Tamid.*

With regard to structure, Einhorn proceeded with caution as compared with Holdheim's unrestrained treatment of the old *seder*. On occasion, restructuring was considered not only advisable but actually imperative. In cases where such restructuring served no good purpose except to satisfy the tastes or whims of a given congregation, it was to be avoided at all cost, because of its disruptive tendency. So many more links with universal Israel would be severed. Should the innovation not disturb the familiar order, but, on the contrary, enhance it, no serious objection could be raised against it. Of this latter type is Holdheim's shift of *ashrenu mah tov* from the early morning Shema to the statutory Shema lending further dramatic emphasis to the cardinal tenet of Judaism. Einhorn followed Holdheim's example with a significant change, typical of the former's doctrine of Israel.

> From:
> Und so ist es an uns, Dir zu danken, Dich zu preisen und zu verherrlichen. Heil uns, wie schön ist unser Theil, wie glücklich unser Loos, wie beseligend unser Erbtheil. Heil uns, die wir ausrufen:...
> to:
> Heil uns, den Priestern Deiner Lehre! Wie schön ist unser Theil, wie glücklich unser Loos, wie beseligend unser Erbe, Heil uns, die wir ausrufen:...

many areas, shared the same views. It was Einhorn who succeeded Holdheim as chief rabbi of Mecklenburg-Schwerin in 1847, when the latter received a call from the Berlin *Reformgemeinde*. Einhorn was not prepared to go to the same lengths as Holdheim did in his *Das Ceremonialgesetz im Messiasreich* (1845). In criticism of the last-named work, Einhorn said. "We have passed the stage of negation. We want a constructive Reform." (Quoted in Kaufmann Kohler. *Studies, Addresses and Personal Papers*, New York: The Alumni Association of the Hebrew Union College, 1931, p. 524.)

23 JG, p. 423. Einhorn's solution was later adopted in the UPB.

We wonder whether Holdheim and Einhorn were aware of the corresponding introduction to the Shema in the Septuagint, which was read in the Alexandrian Synagogue.[24] A rubric in the Holdheim book directs the congregation to rise after the sermon for the preacher's benediction. Einhorn has the exact same wording for his Protestant-derived institution.

Structural Concepts from *Zunz's Gottesdienstliche Vorträge*

Einhorn's turning to Zunz's scientific findings[25] was in harmony with the former's search for authorization from ancient sources. While the Hamburg *Gebetbuch* possessed admirable features, many of which Einhorn himself took up, the book had not gone far enough for him in the direction of Reform. Aside from the excision of certain prayers or the recital of others in the language of the people, the prayerbook contained little else of a positive nature that bespoke Reform. The Hamburg revisions concentrated rather upon the external aspects of worship, with the introduction of decorum and aesthetic appeal, and the trimming here and there of a fundamentally Orthodox service. The structure and ideology of the Hamburg *Gebetbuch* left Einhorn unsatisfied.[26]

Holdheim's prayerbook for the *Reformgemeinde* could not meet with Einhorn's wholehearted approval either. The outspoken expression of Reform within the liturgy and the brevity of the service, helped by the abrogation of Musaf, were worthy of adoption, but its peculiarly Jewish character was missing. Although Holdheim did much to correct the "*halbjüdisch*" character of the *Reformgemeinde's* original liturgy the Berlin rabbi's rewrite still bore the earmarks of the congregation's earlier arbitrary, unhistoric attempt.

Hence, Zunz's hypotheses as to the dating and original wording of the prayers afforded an invaluable opportunity. Einhorn was not one to take

24 The LXX prelude reads: "And these are the statutes and ordinances which the Lord commanded to the Children of Israel, as they went forth from Egypt." The Nash Papyrus has a similar arrangement. The Hebrew document from Egypt (c. 150 B.C.), discovered at the turn of the century, is of no use for determining possible influences on nineteenth-century Reform liturgy; but studies in the LXX were under way in Jewish circles during the early years of Reform.

25 Although Kohler notes Einhorn's dependence on GV, it is surprising that Einhorn himself never acknowledges his debt to the liturgist. Kohler, "The Uncompromising Champion," p. 254; Lou H. Silberman, "The Union Prayer Book: A Study in Liturgical Development," *Retrospect and Prospect*, New York: CCAR, 1965, p. 77, n. 38.

26 Cf. Abraham Geiger's critique in his *Der Hamburger Tempelstreit, eine Zeitfrage*, Breslau, 1842; and Ludwig Geiger, *Abraham Geiger: Leben und Lebenswerk*, Berlin, 1910, p. 44.

refuge in older usages and texts and thus claim respectable antiquity for Reform. Should no alternative usages or variants more compatible with Reform exist, and reform nonetheless be felt needed, it will be undertaken regardless. If older usages do exist that agree with Reform, how much the better. Legitimatization is not only thus added to the armory of the non-Orthodox, but the bonds with universal Israel are strengthened. With all his reformatory goals, Einhorn wanted a prayerbook that was "*echt jüdisch.*"

Einhorn was adhering to Zunz's surmised aboriginal *yotzer* when he reduced it to forty-five words.[27] The *Olath Tamid* incorporated the *Gottesdienstliche Vorträge* 63-word *ahavah rabbah*[28] supplemented by *ki ve-shem qodshekha,* possibly because of its trusting note. Zunz's putative *ge'ullah*[29] is similarly reproduced: *emet sha'attah, shirah ḥadashah,* and *ḥatimah.* Not favoring any accumulations of synonyms, Einhorn omits *malkenu* until *avotenu,* from the forty-five word *ge'ullah* in *Gottesdienstliche Vorträge.*

On similar grounds Einhorn feels justified in applying the shears to the Amidah.[30] Because of their conjectured greatest antiquity, the Introductory and Concluding Benedictions are invariably included when an Amidah is read. This, in part, accounts for the liberties Einhorn takes with the different Intermediate Benedictions, while leaving the remaining six intact. A notable example is the *berakhah emza'it,* cast solely in the vernacular, for the House of Mourning. Although Zunz groups *retzeh vi-menuḥatenu* together with *attah qiddashta, yismaḥ mosheh* and *attah eḥad,* without suggesting any chronological stratification, Einhorn does make the distinction. Employing the same criteria as Zunz does for placing the antiquity of the Initial Three and the Concluding Three, that is, their regularity, Einhorn attaches greater importance to the *retzeh vi-menuḥatenu,* which is met with at all Sabbath services, by keeping it (or its counterpart *ve-hasi'enu* for the Festivals), while dropping the once-appearing proems (*yismaḥ mosheh, attah eḥad,* etc.). Since these

27 GV, p. 382; cf. Saadiah's in SRSG, p. 11. The UPB restored Ps. 104:24 to the Zunzian base.

28 GV, p. 382.

29 Ibid., pp. 382–383.

30 A word about Einhorn's Amidah. In *Olath Tamid* the prayer appears under its alternate title: Tefillah. Nonetheless, the rubrics call for the congregation's standing for the opening Three Benedictions, possibly since these form a class of their own, namely as *birkhot shevaḥ,* "blessings of praise." Other rites, such as AI, followed this usage; but the UPB since the 1895 edition has required standing only for the Sanctification. Interestingly enough, in our time, the British *Service of the Heart* (London, 1967) has reinstituted the Einhornian practice with regard to both posture and title.

proems are presumably later compositions[31] and are variable, Einhorn dispenses with them and replaces them with German compositions of his own,[32] culminating in either the Sabbath *retzeh vi-menuḥatenu* or the Festival *ve-hasi'enu.*

Einhorn's Architectonic

As was the case with the adoption of the texts, the structure of the liturgy was given new life in Einhorn's hands. The Hamburg and Berlin Reform prayerbooks gave him material to work with; but it took the creative genius and religious fervor of an inspired liturgist to mold a new *oeuvre* out of earlier scattered efforts.

The arrangement of his services is fairly uniform throughout, whether it be a Sabbath or weekday, Tish'ah be-Av or Festival. The differentiating marks are the Intermediate Benediction of the Amidah, the choice of psalm, and the inclusion or non-inclusion of the Hallel and the Torah-reading. All Morning Services have the Hamburg selections from the *birkhot ha-shaḥar*: *mah tovu,* German hymn, *adon 'olam* (in Holdheim's translation), *elohay neshamah* (the Hamburg *Gebetbuch* has *yehi ratzon* too), *ribbon kol ha-'olamim,* and *attah hu.* This division is followed by the Shema and its Benedictions, preponderantly in Hebrew. Whereas the older edition of *Olath Tamid* placed the psalm, selected by Einhorn himself for the day specifically, between *ahavah rabbah* and the Shema, the later editions put it directly—and more fittingly—before the *barekhu,* the original location of the psalmodic section (*pesuqe de-zimrah*). After the *ge'ullah* comes the Amidah, which is a *birkat sheva'* for all services, including Rosh Hashanah and Tish'ah be-Av and excepting the weekday, which has twelve instead of the traditional eighteen or nineteen. The Hallel, consisting of Pss. 113, 117 and 118 only, is inserted for the New Moon, Hanukkah and *ḥol ha-mo'ed. Ausheben, Einheben* (return of the scroll to the ark), Mourners' Kaddish, 'Alenu and *Schlussgesange* (closing hymn) follow consecutively.

However, Einhorn went beyond mere imitation of models. He struck

31 GV, pp. 384–385.

32 As a rule, the 1940 UPB I follows this arrangement, as on pp. 20–23, 45–46, 58, and 128–139. However, for the Festival services, the additional English composition comes after the *berakhah emtza'it,* which was the usual sequence in 1895 and in 1918 editions of UPB I. The solitary exception is the placement of the extra prayer beween the *birkat kohanim* and *sim shalom* in the 1895 UPB Festival Morning Service. The 1894 and 1922 UPB II arrangements are confused; the 1945 one, a disorderly attempt to rectify the hopeless muddle left by previous editions. The OT imitators were evidently unaware of Einhorn's blueprint or the scholarly basis of his design.

new paths, restructuring in startling new ways. First is the already-mentioned conflation of Musaf and Minḥah into a single *Nachmittagsgottesdienst*, under which are subsumed *u-netanneh toqef* (Einhorn's version), the Avodah, a *Todtenfeier* and the Afternoon Torah Service. Consistently enough, Einhorn refused to supply this section with as much as a single Amidah, since he did not have a Musaf or Minḥah anyway. To provide these expressly for the Day of Atonement would only mar the architectonic coherence of Einhorn's liturgical design. No harm is done in filling in the interval between the Morning and Concluding Services with the liturgical highlights of the intervening Musaf and Afternoon Services in a new setting. The *u-netanneh toqef* and the Avodah are lifted out of their Amidah-matrices, and planted alongside an embellished Memorial Service and a postmeridian Torah Service. In this way the Scylla of endless traditional Amidah repetitions with their respective confessionals and the Charybdis of a Holdheim afternoon-long rest period are avoided. The High Holy Day volume of the *Union Prayer Book* follows precisely this pattern.

The question, posed at the Brunswick Conference as to manner in which the *shofar* blasts should be conducted, was answered decisively by Einhorn. He reduced the blowing to three notes alone, to be produced not by means of a ram's horn, but the "*Horn und Trompetenklang.*" While the exchange of the shofar for modern wind instruments was an extreme measure, it was, at any rate, less radical than Holdheim's total removal of the same, in any form whatsoever.

Germane to our discussion of *Olath Tamid's* ground plan is how Einhorn handled the text accompanying the repeated series of blasts. The absence of the Musaf could present insurmountable difficulties to one with lesser liturgical skills or sense of symmetry. Rather than allow the whole arrangement of *malkhuyot, zikhronot* and *shofarot* to collapse, as Samuel Adler did in his revision of Merzbacher's *Order of Prayer*, Einhorn distributes them, in German paraphrase, among the different parts of the New Year service: *melokh* affixed to *uve-khen ten* in the Evening and Morning Amidot; *attah zokher* with *attah vehartanu* in the Morning Amidah; and the *attah nigleta*, directly after the prophetic lesson, culminating in the three blasts. The last section, the *shofarot*, is not altogether out of place here, since traditionally this is where the *teqi'ot meyushav* are sounded.

Prayers for Special Sabbaths

The old Prayer Book was replete with poetic compositions interpolated into the statutory prayers. The Benediction of the Luminaries had its *yoẓerot;* the *ge'ullah* section, its *zulat;* and the Amidah, its *qerovot*, etc.

These occasional additions saved the Prayer Book from drab monotony, lent it variety, and prepared the worshiper for the high points, the sacred days, of the Jewish calendar. To prevent his *Olath Tamid* from becoming routine, Einhorn availed himself of the special Sabbaths of the year, such as *shabbat sheqalim, shabbat zakhor,* etc., for the writing of his own prayers. Other motives may have lain behind the stress on these Sabbaths: a few of the holidays to which these Sabbaths were preparatory were at the time falling into desuetude, namely, Purim and Hanukkah.[33]

The Relative Positions of Hebrew and the Vernacular in *Olath Tamid*

Not only was Einhorn at odds with Zacharias Frankel as regards the indispensability of the Hebrew language in Jewish worship, and in full accord with the majority opinion, but he entertained an almost idolatrous love for German. The language—and the culture and literature of which it was the vessel—was held by him to be essential to the development of Reform. Hebrew gave us Mosaism; German, Reform. The relevance of Judaism for modern man hinged upon education in the German literary classics and philosophies. Without German, Judaism was thought to be doomed to moribundity, irrelevance. His utterance[34] at the Frankfurt Conference, in 1845, during the stormy debate on the question of Hebrew, that

> the introduction of the vernacular into the service is necessary. Hebrew is the language of the study of the Law, but it is not the organ wherewith to express the feelings of the people. Aforetimes prayer was only the cry of pain; scarcely intelligible expression sufficed for this; but now the people need a prayer that shall express thoughts, feelings and sentiments; this is possible only through the mother tongue—

33 The special Sabbaths accorded individual prayers of their own in the various editions of the UPB reveal somewhat the shifting estimations of the holidays. It is interesting, for example, that the "Sabbath coincident with the New Moon" (1895) falls by the wayside (1918, 1940), while Hanukkah and Purim are given the ascendancy. The relative newness of the prayers appropriate for the Sabbath during Passover and during Tabernacles reveals these Sabbaths' role as partial surrogates for the Festivals themselves.

For additional data on Einhorn's position concerning the Shabbat, see Isaac M. Fein, *The Making of an American Jewish Community: The History of Baltimore Jewry from 1773 to 1920*, Philadelphia, JPSA, 1971, pp. 113 and 119–120.

34 Quoted in David Philipson, "The Religion of the Prayerbook," *Journal of Jewish Lore and Philosophy*, I (1919), 75.

is understandable enough and can be parallelled by like declarations voiced at the Conference.

The seventh article of the 1869 Philadelphia Platform, drawn up by Einhorn, has this to say regarding the relationship between Hebrew and the vernacular:[35]

> The cultivation of the Hebrew language, in which the divine treasures of revelation have been couched and in which the immortal monuments of our literature have been preserved (the commanding influence of which extends to all educated nations), must in our midst be considered as the fulfillment of a sacred obligation. However, this language has in fact become incomprehensible for the overwhelming majority of our present day co-religionists, and therefore in the act of prayer (which is a body without a soul unless it is understood) Hebrew must take second place behind a language which the worshippers can understand insofar as this appears advisable under prevailing circumstances.

These sentiments are *au fond* indistinguishable from what had been said earlier at the Frankfurt Conference.

What is striking, then, is not so much Einhorn's giving a prominent place to the vernacular, or even his concession on the partial retention of the Hebrew language, as his exaltation of German, which knew almost no bounds:[36]

> Take away from Reform Judaism the German spirit, or what is the same thing, the German language, and you have torn away from it the mother soil and it must wither away, the lovely flower. The English sermon can have for its mission nothing else than to utilize the treasure of the German spirit and German literature for our religious life and therewith enrich it. In a word, where the German sermon is banned, there the reform of Judaism is nothing more than a brilliant gloss, a decorated doll, without heart, without soul, which the proudest temples and the most splendid theories cannot succeed in infusing with life.

The Hamburg Gebetbuch Treatment of the Two Languages

Although Einhorn obtained many of his ideas from the *Rabbinerversammlungen*, the number of liturgical models carrying out the Conference resolutions was still too small to serve as a seasoned basis for

35 Plaut, *The Growth of Reform Judaism*, p. 31.

36 Quoted in David de Sola Pool, "Judaism and the Synagogue," *The American Jew: A Composite portrait*, ed. Oscar I Janowsky, New York: Harper and Bros., 1942, p. 45.

his own structural and textual revisions of the standard liturgy. He drew considerably upon the few creations that were available, most importantly, the Hamburg *Gebetbuch* and the Berlin Reform prayerbook. Works of a scholarly nature were exploited for whatever suggestions of value might be drawn therefrom, such as Zunz's *Gottesdienstliche Vorträge* and Michael Sachs' *Die religiöse Poesie der Juden in Spanien.* The first-mentioned of Einhorn's sources, the Hamburg *Gebetbuch,* provided a fund of tangible examples of practical Reform. The concept of an Evening Service predominantly in the vernacular, as in the Hamburg *Gebetbuch,* was put to good use by Einhorn. Einhorn went along with the Hamburgers in re-casting the Benedictions surrounding the Shema, leaving Israel's watchword and the appendant paragraphs intact in Hebrew. He was not prepared, however, to accept an exclusively German Amidah, which the Hamburg *Gebetbuch* had for its Evening Service. That book had the benefit of a counter-balance in Hebrew of the *birkat me'en Sheva',* which *Olath Tamid* did not. Therefore, the Evening Amidah had to be given in Hebrew, because of its principal position along with the Shema. As noted before, the *birkot ha-shaḥar* in *Olath Tamid* are, in imitation of the Hamburg pattern, presented in German. Furthermore, the use of the vernacular for the last named came to be imitated in the *Union Prayer Book.*

Other borrowings from the Hamburg manual are the choral introductions to the *ge'ullah* section, "Ewige Wahrheit ist es für uns. . . ," and the idea of *elohay netzor* in German after a Hebrew Amidah. For the most part, Einhorn avoided the Hamburg *Gebetbuch's* German text because of its wooden literalism. He wanted his prayers to take wing, to soar; and undeviating adherence to this book's heavy-footed translation would only dampen the liturgist's muse. If German was to assume a central role, it had to prove fit for the task, to be a worthy instrument for carrying Israel's prayers aloft before the heavenly throne.

Holdheim's German Prayers

Einhorn is more dependent on Holdheim for the translations of prayers from the Siddur than for anything else. Under no circumstances, however, does Einhorn allow the Berlin Reform prayerbook to affect his new compositions. Whatever the propinquity between the two men on issues practical or theoretical, as on the definition of "sign" or messianism, enough differences existed between them to force Einhorn to write prayers on his own, reflecting his peculiar fusion of chosenness-messianism-mission. Although Holdheim could bring himself to pray on behalf of his parishioners, "Du hast Israel erkoren aus allen Völkern," his *amor Israel intellectualis* is marked by hesitancy which Einhorn, with his new-

ly-evolved understanding of the Jews' mission, felt no need to entertain.

Among the Holdheim translational imports are included *adon 'olam* ("Der Herr des Weltalls"), *elohay neshamah* ("Herr, die Seele, die Du mir [Einhorn: uns] gegeben. ."), *ribbon kol ha-'olamim* ("Herr aller Welten"), *modim* ("Wir danken Dir . ."), *sim shalom* ("Gieb Frieden, Segen. ."), and *elohay netzor* ("Mein Gott, bewahre meine Zunge vor Bösem. . ."; "Nimm im Wohlgefallen auf die Worte meines Mundes").[37]

The text of the *Einheben* (Ps. 19:7–8) is the same for both rites.[38] The concluding Alenu, which Holdheim himself used for but a few of his "cycles" (services), became a fixed feature in *Olath Tamid*.[39]

From these German borrowings we can see the extent of Einhorn's debt to his elder and more radical colleague, Samuel Holdheim. In spite of this debt, the borrowings form only one ingredient in the combination that was singularly Einhorn's. What gave *Olath Tamid* its durability, whether in its original form or in its later transmutations, were Einhorn's compositions, rhapsodic expressions of his own faith and convictions,

37 A comparison between Holdheim's moving German rendition of *elohay netzor* and the current UPB paraphrase of the same reveals the mediating role played by OT:

Holdheim

Mein Gott, bewahre meine Zunge vor Bösem, meine Lippen vor Trug. Verleih' mir Sanftmuth gegen die, die mir übel wollen. Pflanze Demuth in meine Seele und Gottvertrauen in mein Herz. Sei mein Hort, wenn ich in Schmerz verstumme, mein Trost, wenn meine Seele gebeugt ist. Lass mich wandeln in Deiner Wahrheit. Leite mich, denn Du bist mein Gott und meine Hilfe, auf Dich hoffe ich alltäglich. Nimm in Wohlegefallen auf die Worte meines Mundes, die Regung meines Herzens komme vor Dich, Gott, mein Schöpfer und Erlöser! Amen.

UPB (1940)

O God, keep my tongue from evil and my lips from speaking guile. Be my support when grief silences my voice, and my comfort when woe bends my spirit. Implant humility in my soul, and strengthen my heart with perfect faith in Thee. Help me to be strong in temptation and trial and to be patient and forgiving when others wrong me. Guide me by the light of Thy counsel, that I may ever find strength in Thee, my Rock and my Redeemer. Amen.

May the words of my mouth. . .

38 This simple psalmodic example was later to become part of the UPB's ampler, more traditional and more Hebraic "Return of the Scroll."

39 The first paragraph of the regular Holdheim-Einhorn Alenu reads, for *she-lo 'asanu,* predictably enough, "dass Er uns befreit hat von der Finsterniss des Irrglaubens, und uns gesendet hat das reine Licht der Offenbarung." The Alenu prefacing the Avodah on Yom Kippur runs, in a vein perhaps more typical of Einhorn,

שבחר בזרע באברהם
למען יתברכו בו
כל משפחות האדמה

While no kneeling is here required, it is called for during the climactic recitation of *va-'anaḥnu kor'im* before the closing Shema, etc., at Ne'ilah.

his prophetic passion and his almost mystic love for God and Israel. The borrowings from the Berlin book are overshadowed by the religious personality of the borrower. His ardor blends all the disparate components, textual, structural and linguistic, into one harmonious unity, "one hammered piece of pure gold," *Olath Tamid.*

The Role of Hebrew in *Olath Tamid*

A commission appointed by the 1845 Frankfurt Conference proposed that the Hebrew part of the liturgy be restricted to the *barekhu* and its response, the Shema and the first of its accompanying paragraphs, and the Initial and Concluding Benedictions of the Amidah. The Torah reading was also to be conducted in Hebrew.[40] We have already seen in the case of the Morning Service in *Olath Tamid* this sharp reduction of the Hebrew relieved by Einhorn's introduction of Zunz's theorized primitive *yotzer, ahavah,* and *ge'ullah* in their historic tongue.[41] The commission's proposals were, however, taken up for the Evening Service in *Olath Tamid* where only the suggested portions were kept in Hebrew, the intervening sections couched in German.

The curtailment of Hebrew notwithstanding, Einhorn did not share the exclusive monolingualism of Holdheim or of any of the latter's imitators in the American Reform rabbinate. Despite his almost inordinate love for German, Einhorn was by no means hostile to the Hebrew language. In *Olath Tamid* one finds numerous Hebraisms, such as "Olah ihres Dankes" (for the mother visiting the synagogue after her confinement) and "der Vorbeter hebt die Thora von der Bimah und spricht. ." (at *Einheben*). In like fashion the holidays are called by their Hebrew names: *Pesachfest, Atzerethfest* and *Sukkothfest,* etc. In juxtaposition, however, appear these: *Neujahrsfest, Hüttenfest* (when *Sukkothfest* is not used), and *Wochenfest.* A similar inconsistency is evident in the use of biblical names in the "Thora-Abschnitte" as well as in the Torah-Haftarah lectionary at the end of the volume. On the one hand, one encounters the Hebrew proper names in their unaltered form, such as Jecheskel, Jehoschuah, Jehudah, Kenaan, Koheleth, Menascheh, Misraim, Moscheh, and Peleschet. On the other hand, such Septuagint-derived spellings are in evidence, as in Hoseah, Jesaias, Job, Pharan, Phareo, [Sprüche] Salomon, and Samuel.[42]

40 *Protokolle und Aktenstücke der Zweiten Rabbiner-Versammlung,* Frankfurt am Main, 1845, pp. 60–72.

41 The Morning Services for Sabbaths and Holy Days in the UPB have in the main preserved Einhorn's quantitative balance between the Hebrew and the vernacular.

42 It is important to observe that all that is given in Hebrew was read in

All of which, in conjunction with the abundant midrashic allusions in the original tongue in his sermons, prove that Einhorn was hardly negatively disposed to the language which he was impelled in large measure to displace. The repeated charge that Einhorn was an out-and-out Reformer needs qualifying. By now we should be able to see that, with his avid espousal of German as the most important vehicle for philosophical and religious expression—perhaps to a certain degree because of this espousal (cf. Hermann Cohen's famous equation of *Deutschtum und Judentum*)—Einhorn was eager to maintain the historical solidarity with all Israel. The method pursued by Holdheim was found wanting—for, whatever Holdheim did to restore Jewish consciousness in the Berlin Reform prayerbook, his revision nonetheless bore what Elbogen called its "*halb-jüdisch*" character. The way followed by the Hamburg *Gebetbuch* was at best a mild half-measure. The unmistakable note of Reform was still waiting to be sounded. Equipped with the studies by Zunz and with the positive contributions made by his Reform liturgical predecessors, and learning from past mistakes, Einhorn was now in a postion to execute his *magnum opus*, combining the outspokenness and universalism of the Berlin book with the allegiance of the Hamburg *Gebetbuch* to the past and to the worldwide fellowship of Israel. Radical as its direction may have been, *Olath Tamid* was unquestionably and unashamedly Jewish.

The Hebrew Text in *Olath Tamid*

We can gain deeper insight into Einhorn's thinking from an examination of the *Olath Tamid* revisions of the Hebrew text of the Siddur In two numbers of his periodical *Sinai*[43] prior to the publication of *Olath Tamid* the rabbi-preacher explained some of the principles underlying his changes. Here we shall have a look at a few of the textual revisions in *Olath Tamid*, ranging from the barely perceptible to the drastic.

One of the most thoroughgoing of the verbal changes to be found

that tongue, and not in translation. This can readily be ascertained by the fact that in the latter part of the volume, for the Evening Services ushering in the Sabbaths and Festivals, Shaḥarit for the weekday and *Halbfesten*, Service in a House of Mourning, and the private morning devotions, the Hebrew texts are unaccompanied by translation. The Hebrew was present in OT not for the sake of mere historical reminiscence; it played an active part in the service. The only offices rendered wholly in the language of the people were matrimony, conversion, grace before and after meals, and the Passover *seder*. Even here the Hebraic stamp is unmistakable, and the *matbe'a shel tefillah* largely preserved.

43 I (1856), 97–100, 129–139.

within a traditional text is Einhorn's Benediction II of the Amidah.[44] It will be noted that the eulogy—rather than the benediction per se—was ultimately carried over into the *Union Prayer Book*. The subject of the traditional prayer is, of course, the resurrection of the dead. The Reformers were not alone in their objections to the literal, corporeal sense of the benediction. Indeed the rabbis toned down its physical significance in favor of the Greek-inspired Arabic notions of the immortality of the soul.[45] Einhorn's revision rests on the support of these medieval rabbis and on the Bible's reticence on the matter.[46] The text runs as follows:

אתה גבור לעולם ה׳. רב
להושיע. מכלכל חיים בחסד. פודה
נפש עבדיו ממות ברחמים רבים
סומך נופלים ורופא חולים ומתיר
אסורים ומקיים אמונתו לישני עפר:
מי כמוך בעל גבורות. ומי דומה לך
מלך ממית ומחיה ומצמיח ישועה:
ונאמן אתה בכל דבריך. בא״ה
נוטע בתוכנו חיי־עולם:

Einhorn's *ya'aleh ve-yavo*—fixed in one location only for all services of a festal character, that is, in the *'avodah* section, before *retzeh*—is devoid of references to the "remembrances" of Jerusalem and the Davidic Messiah. This is as would be expected in any Liberal prayerbook; but setting off Einhorn's *ya'aleh ve-yavo* from the others is his unique application of the epithet "Messiah" to Israel: *ve-zikhron kol 'amkha bet yisra'el meshiḥekha*[47]—which agrees with Einhorn's understanding of Israel's vocation.[48]

44 An error crept into the otherwise superb notes to the aforementioned *Service of the Heart*. In note no. 58 the change from "Redeemer" to "Redemption" in Benediction I is said to have begun with the 1858 edition. Startling as it may seem, *go'el* is kept in that edition, though translated as *Erlösung*.

45 Cf. Mishneh Torah, Hilkhot Tefillah VIII:2; Joseph Albo *Sefer ha-'Ikkarim*, ed. Isaac Husik, Philadelphia: JPSA, 1946, Vol. IV, pp. 267–272.

46 *Sinai*, I (1856), 134–137.

47 This version was perpetuated in the 1923 UH. Cf. the verse in Einhorn's *avinu malkenu*: *Harem qeren yisra'el meshiḥekha*—which consorts with Einhorn's conception of Israel's vocation.

Staunch anti-nationalist that Einhorn was, his utterances on the Messiahship of the Jewish people bear a striking resemblance to Adam Mickiewicz' view of Poland as a Messianic nation and to Dostoyevsky's pan-Slavic idea of Russia as the Messiah of mankind.

48 Philipson, *The Reform Movement*, p. 248; see also *Sinai*, I (1856), 132–133.

A change that would probably escape the notice of most readers is contained in the precentor's introduction to the priestly benediction, the *birkat kohanim.* Instead of *kohanim ʻam qedoshekha,* Einhorn has *kohaney ʻam qedoshekha*[49]—the latter a grammatical construction less likely to jar on one's historical sensibilities, since the priests were in point of fact not so much an entire people as an elite tribal division of the people. Moreover, the expression *kohanim ʻam qedoshekha* never occurs in the Bible. Baer (p. 102) notes the appearance of an analogous phrase in the Talmud[50] which reads *u-veney aharon ʻam qedoshekha.* It is of particular interest that, as Baer observes R. Joseph Kimḥi regarded as wrong the phrase *kohaney ʻam qedoshekha,* in the construct form later to be used by Einhorn and others, since the priests are priests of the Lord, not of the people. Einhorn was not the first to find fault with the formulation as it stood in the Siddur; the aforementioned R. Joseph Kimḥi proffered *kohanim be-ʻam qedoshekha,* while a Roman variant gave *ha-'amurah le-'aharon ule-vanav kohanim le-ʻam qedoshekha.*[51]

The 1858 German edition of *Olath Tamid* kept the usual *sim shalom* —with the exception of the *ḥatimah,* which was the Palestinian *ʻoseh ha-shalom.* The first English translation (1872) saw a universalization of the prayer for peace; instead of asking for peace and well-being "for us and all Israel" the entreaty is broadened to embrace all mankind (*ʻalenu ve-ʻal kol banekha; le-varekh et kol ha-ʻamim*). The ubiquitous Hamburg Kaddish was emended in the same vein, to bring it into accord with the sweeping worldwide outlook of Einhorn's emended *sim shalom.* The last two lines of the Kaddish are generalized in *Olath Tamid* respectively to *ʻalenu ve-ʻal kol aḥenu* and *ʻalenu ve-ʻal kol banav.* In his autobiography, *My Life as an American Jew,*[52] David Philipson tells that it was a prominent Jewish layman who suggested universalizing the last sentences of the Kaddish in *Olath Tamid.*[53]

49 MA adopted this wording as well.

50 Yoma 41b.

51 Elbogen (JG, p. 72) erroneously calls him David Kimḥi. Cf. SRSG p. 42, n. 12.

52 Cincinnati: John G. Kidd & Son, Inc., 1941, pp. 39–40.

53 The only one to adopt Einhorn's liberalized Kaddish was Max Landsberg. The tremendous hold this prayer has had on Jews dampened the revised prayer's potential popularity even among OT-imitators. Startling is Krauskopf's eccentric Kaddish, which opens with *yitgaddal* until *rabba,* continues with Job 14:1–2, Eccles. 3:20b, c, Job 3:17–19a, Eccles. 12:7, Prov. 12:28, and concludes with the Hamburg *ʻal yisrael* and *ʻoseh shalom* until *ʻaleinu*—then, *ve-imru amen.* Here an assortment of stray Wisdom observations on death attempts to displace the sublime affirmation of faith in the centuries-old Kaddish. The Reformers usually knew better than to challenge the folk institution that philosophical rumi-

Divergent is Einhorn's *u-netanneh toqef*, which rejects anything savoring of the supernatural or the mythological. No longer do we behold angels trembling at the call of judgment, or God enthroned in lofty splendor conducting His heavenly assize. Instead, we envisage mankind passing through the Shepherd's tally before its fate is decreed. The old court of appeal—*i.e.* repentance, prayer and *caritas*—gives way to a less Damoclean Ps. 8:5–6, which contrasts man as a lowly creature and *engelgleich*. The biblical paradox is a recurrent theme in *Olath Tamid*, in the form of opposition between man as a child of earth and as a son of God.

What Einhorn seems to be suggesting is that as prone as man is to sin, he does have the capacity to transcend his sensual bounds and attain a worthy spiritual state. The bifurcation of man into the base "son of dust" and pure soul appears in *Olath Tamid* to be more Christian than the wholesome, unitary view of the Bible and the Talmud. In all fairness to Einhorn, however, the Paulinian-Augustinian contempt of the things of earth is nowhere evident in *Olath Tamid*. His Jewish sensibilities were too ingrained to allow a Manichean scorn for the material, the physical, which, after all, "God saw was good."[54]

It is somewhat surprising that Einhorn, known for his rigorous consistency, bothered at all to admit Messullam b. Kalonymos' *piyyut*, with its sense of foreboding out of tune with *Olath Tamid's* overall optimistic tendency. The popularity of the prayer, particularly of its *mi yiḥyeh u-mi yamut* sequence, doubtless accounts for its longevity even in a uniformly "rationalist" Reform liturgy.

Hamburg *Gebetbuch's* Choice of Piyyutim and Einhorn's

The sorrow-laden payyetanic products of medieval Ashkenazic Jewry did not consort with Einhorn's visionary optimism concerning Israel's career among the nations of the world. Being obsessed with the persecution-ridden past meant taking a short-sighted view of Jewish history. The sobs of the old poems had to give way to exuberant songs of trust in the favorable outcome of Israel's mission. For this reason, and for reasons

nations on death cannot approximate the measure of comfort offered by the resignation-in-hope implied by the time-honored doxology. Witness the ephemeral character of the various pre-Kaddish meditations in modern rites. Few mourners seem to miss them if they are not read. Emil G. Hirsch ("A Memorial Oration," *David Einhorn Memorial Volume, ed.* Kaufmann Kohler, New York: Bloch Publishing Co., 1911, pp. 479–480) notes that Einhorn would not permit them in his prayerbook.

54 Whereas Einhorn presented his entire *u-netanneh toqef* in Hebrew, Landsberg reproduced it mostly in English.

or stylistic simplicity, the liturgical poems of Spanish Jewry take the place of the sadder Ashkenazic lyrical outpourings. Another explanation for the preference for the Sephardic *piyyutim* lies in their suitability for congregational recitation or singing, in such lighter, less ponderous pieces as *adonay ḥonnenu va-haqimenu, el nora' 'alilah* and *be-terem sheḥaqim va-'araqim.* Similar considerations prompted the replacement of the Ashkenazic *el male' raḥamim* with the Sephardic *mah rav tuvkha* and *menuḥah nekhonah.*

The Hamburg selections were well-intentioned, but hardly sufficient. Why were other products of Israel's poetic talents not being tapped? The Hamburg *Gebetbuch* fell into the habit established by the traditional prayerbooks of repeating prayers. Its *elohenu sheba-shamayim, ḥonnenu va-haqimenu, and be-terem sheḥaqim, va-'araqim* to cite a few examples, were reiterated several times on Yom Kippur.

Manuscripts of old *piyyutim* were retrieved from dusty oblivion. Einhorn mentioned in his *Vorwort* to *Olath Tamid* his turning to Sachs' *Poesie* for such poems as Gabirol's *shikheḥi yegonekh,* Ibn Giat's *yonah ḥafsah,* and Halevi's *barekhi atzulah.* All the other non-Hamburg imports not cited in the *Vorwort* too come from the Sachs collection: *shim'ah adon, elohim eli attah, barekhi nafshi, shiḥartikha be-khol shaḥar, se-i 'ayin,* and *sesoni rav bekha.* In each case the translation is Einhorn's, never Sachs'.[55]

David Einhorn's Passover Haggadah

Einhorn's all-German domestic service for Passover Eve (*Hausandacht am Vorabend des Pesachfestes*) appears inconspicuously as the last item in his *Olath Tamid,* right before the Torah-Haftarah lectionary. Einhorn's *seder* bears a close examination, if only because in a sense it serves as a convenient capsule summary of the author's liturgical and theological method. Although the service is stark in its simplicity and leanness, largely by dint of a ritual iconoclasm, it is clearly rooted in the textual forms of the old Passover Haggadah. The characteristic landmarks, such as the wine, candles, *seder* plate, etc., all but universally expected as a matter of course in today's *seder,* traditional or liberal, are absent; while, conversely, Einhorn's *Hausandacht* adheres to the classical pattern by building up to *lefikhakh,* followed by the first two Psalms of the Hallel, culminating in the benediction *asher ge'alanu.* The meal accompanied by the usual preceding and succeeding *Tischgebete,* i.e. *birkat ha-mazon,* ensues. The entire proceedings for the evening end

55 Is it mere coincidence that these very choices of Einhorn's from Sachs's collection were also utilized by Szold and Jastrow in their *Abodath Israel?*

with a German rendition of *addir hu,* which is spoken rather than sung!

Since there is no singing interspersed among the prayers in Einhorn's revision (*dayyenu,* for example, just does not exist here) and any subsequent lengthy disquisition by the *Familienhaupt* would only have a deadening effect on a festive family affair, Einhorn adapts the traditional Four Questions asked by the youngest at the commencement of the *seder* by spreading a new set of inquiries throughout the Haggadah in fitting spots. Now it is either a *Familienglied* or the *Gesellschaft* that is assigned the role of asking.

Hence, we can see that as anti-ceremonial as Einhorn may have been, he showed a careful regard for the text and sought to preserve as much of it as possible, whenever it would not conflict with his theological thinking or his sense of architectonic. Snce he believed ceremonial usages, whether of biblical or of rabbinic derivation, no longer mandatory or necessarily expressive of the divine will, he could not in good conscience maintain those *berakhot* that contained the formulaic phrase "who hast commanded us. . ." Still, he entertained scarcely any qualms about preserving the *Stammgebete*-complex or benedictions in similar categories (such as *birkat ha-mazon,* the nocturnal *ha-mapil ḥevley shenah,* or the matrimonial *birkat erusin*—without the *birkhot nissu'in,* however!), so long as they entailed no sacrifice of principle or disruption of his reconstituted fabric. Accordingly, not only are the benedictions regarding wine (including the prefatory Kiddush), *karpas,* and handwashing omitted, but Rabban Gamaliel's triple *sine qua non* for the proper observance of Passover is given short shrift textually. Nonetheless, the *berakhah*-structure of the non-"commanding" variety stays, specifically in the climactic *asher ge'alanu* and in the grace before and after dinner.

Thus far we have concerned ourselves chiefly with the structural framework of Einhorn's Passover *Hausandacht.* How does the author flesh out this bare outline? Here is where the man shows his true visionary colors, his literary and religious inspiration. The body of the text represents a lofty (*schwungvoll*) exegesis of the Passover event that is markedly and peculiarly Einhorn's. The emancipation from Egypt is placed in the broader historical context of Israel's long career checkered by travail, persecution, wandering and deliverance. Verses from Psalms 124 and 137 (most unusual selections for Passover) are midrashically woven into an almost sermonic dissertation on Israel's woeful past leading on to a glorious messianic future. In this Haggadah, then, *yetzi'at mitzrayim* is really simply one station on the Jews' fateful journey to the *eschaton.* In terms of content, Henry Berkowitz' lilting free English paraphrase in the 1923 version of the *Union Haggadah* (pp. 115–117), "And It Came to Pass at Midnight," is identical with what Einhorn was trying

to say. In fact, the biblical phrase "*Nacht der Wache*" is employed repeatedly in his version, in a refrain as it were, making it indeed the *Leitmotif* of the evening celebration for Einhorn. It is interesting to see in this connection how Einhorn interprets the meaning and purpose of *maror*. (His treatment of unleavened bread as *Priesterbrod* as well as the expected *Brod des Elends* excites notice, too, particularly in light of Einhorn's conception of Israel's priestly service to humanity.) The bitter herbs are to remind the Jewish people of the never-ending task of waging a hard and bitter combat (*einem schweren und bitteren Kampfe*) on behalf of God's doctrine and law among the nations of the world.

The culmination of this inspired if rambling piece is, as mentioned earlier, the traditional *asher ge'alanu,* recast slightly to underscore Einhorn's belief in mission-messianism-universalism. It reads in part as follows:

> ... Mögest Du uns viele Feste bereiten und Israel schauen lassen das Fest der Erlösung der ganzen Menschheit, auf das wir Dir ein neues Lied singen mit allen Völkern der Erde! Gelobt seist Du, Gott, Erlöser Israels.

Einhorn's *Hausandacht* was not to lie buried forever in *Olath Tamid,* or in oblivion. Well-nigh imperceptibly vestiges lingered on first in the 1908 edition of the UH and later in the revised edition of 1923, as in the passage below:

> This very night which we, a happy generation, celebrate so calmly and safely and joyfully in our habitations was often turned into a night of anxiety and of suffering for our people in former times. Cruel mobs were ready to rush upon them and to destroy their homes and the fruit of their labors. But undauntedly they clung to their faith in the ultimate triumph of right and of freedom. Champions of God, they marched from one Egypt to another—driven in haste, their property a prey to the rapacious foe, with their bundles on their shoulders, and God in their hearts.

which corresponds to the original

> Ja, gerade diese Nacht der Wache, die wir, die Glücklichen, so ruhig und sicher, so fröhlich und wohlgemuth in unseren Wohnungen feiern, brachte oft unsägliches Weh über unsere Glaubensgenossen, diente oft dem grässlichen Scheusal der abscheulichsten Verleumdung, welche Tücke und Glaubenshass jemals ersonnen, zur Enthüllung. Und dennoch hielten sie, die Geliebten, unerschütterlich fest an Gottes Verheissung, die uns Sieg und Freiheit verkündet. Unermüdet zogen sie als Streiter Gottes, von einem

> Mizraim ins—andere, eilends vertrieben, die reichste Habe dem raubgierigen Feinde preisgebend, ihre Bündel auf der Schulter und ihren Gott im Herzen.

The 1908 UH bears Einhorn's imprint even more noticeably, as in the aforementioned breakup of the Four Questions among the different parts of the *seder* service. The growing "normalization" of the UH, as of all CCAR publications, should not by any means obscure for us Einhorn's underlying inspiration. To be sure, *berakhot* for both biblical and rabbinical ordinances alike make their way back into the text. Hebrew is found on virtually every page of the liturgy of the *seder.* (The (1908 edition of the UH even included a contemporary *piyyut,* unfortunately plagued by a faulty meter!) Einhorn's apparent distaste for ceremony, his all-German Romantic flights of rhetoric, and occasional verbosity have to a large extent given up the ghost; his theology remained. He would have gladly endorsed the hope voiced in the *nirtzah* of the 1923 edition (p. 78):

> May He who broke Pharaoh's yoke for ever shatter all fetters of oppression, and hasten the day when swords shall, at last, be broken and wars ended. Soon may He cause the glad tidings of redemption to be heard in all lands, so that mankind—freed from violence and from wrong, and united in an eternal covenant of brotherhood—may celebrate the universal Passover in the name of our God of freedom.

On another occasion I hope to point out in detail the influence of the *Olath Tamid* on the *Union Prayer Book.*

ראשינו ק 63 כבושנו] נפושינו ק 64 להנחית ק 65 בסמוך] סמוך ק / עדי] עירי ק / לנושים] לנשים ק 66 ענושים] ענשים ק / מנושים] מנישים ק 68 שמעי] שימעי ק / מטירינו] משירינו ק 69 אשרינו] אשורינו ק / מעירינו] מייערינו ק 70 עצמות] עיצים ק 71 עידניי] עידוניי ק 72 עידוניי] עידניי ק 73 דניי] דיניי ק מכהן] היות כהן ק / ושבעת] שבעת ק / מעוניי] מעווניי ק 74 כלה] נמו כלה ק 75 רוגשים ק 76 וכקש] וביקש ק / להב] ללהב ק / אוכלו הנשים] אז כלה והינשים ק 78 לכת] עת ק 80 הימנו] המינו ק 82 נהי] ניהיה ק 83 בגלעדי] בגלעד ק / נהי] חסר ק / אסרים] אסירים ק 84 גאון] זדון ק 86 דמו] רימו ק 87 חטאו] העוו ק / נוויה] נאוויה ק 89 אחורים] אחירים ק / מחירים] מהירים ק 90 משחרים] שחרים ק / מושחרים] שחורים ? ק 91 הדרים] ב . . . ק 94 לעין] לעיל כל ק.

ב. לקינה 'אהלי איכה גילו קדשים'

מקורות: 1 כ"י קויפמן 76 (נוסח היסוד); 2. כ"י המוזיאון הבריטי 626 (= ל); 3. 685 (= נ); 4. 630 (= ד); 5. כ"י מונטפיורי 213 (= מ); 6. כ"י פאריס 605 (= פ); 7. 611 (= ר); 2. 613 (= ס); 9. כ"י אוכספורד 1057 (= א).

שינויי נוסח: 1 גילי א / קדושים נ 2 בעת נעתק נ בעת כי נעתק לדמפרס / ונתש ל 5 צאן] חסר נלרסא / גימי] שמי ר 6 המסור נ נמסור ל 7 בצין נלדמפס כציץ רא / נבואה א 9 השני נ 11 ימיו] ימין מר / ובו אישוני] ידיו נביאי ראשונים נ 12 לחודש השני מס 14 שוועה] שעה נלדמפרסא 15 ברואה נלדמפרסא 16 ותשעה] ושבעה נלדמפרסא 17 לוחות נלדמפרסא 18 וששי נלדמפ / צרות] שעות מ / בקיצים דפ / הומסר נלדמפ 20 על שארעי] כאשר אירע נלדמפרסא / ברביעי] חסר נ 21 מישיבת בשאב] משבת משאב נ מבית שאב לדמפרסא 22 משאון בית שאב] משאון בית ישאב נ מבית ששון שאב ר 24 בתשעה באב] האב נ 25 הועילוני לעשוק נ הועיל לחשוק לדפרסא 26 צור נלדמפ / לפותה] פודה נ 27 חיללו] תופלו נ טיפלו לד / יקריך לד / לזלזול נלפא 28 ונכחדו נלדמפרסא 29 ואינם וכו'] סכותה על מקדש קדש דמפרסא / בכף נ כפותם ל 30 בכיפור] במקדש לדפרסא 31 וגימס מר וגומש נ / שאת גדש] סאת גידש נלמסא 33 כל] על ר על בשרי נ 34 כי נשחטו נ 35 כל] בכל דפא / על] חסר ר / מוסרי] סדרי נ 36 עשירי נמ 37 גילי] גלו נ גולי לדמפרסא / יומסר] נמסר ל הומסר ר 38 עיר] חסר נלדמפרסא 39 כי] חסר מפר / חטאת הגלגל ובגבעה נאסר נ ראה חטא גבעה כגולגל ונאסר לד / בי] חסר מ / כגולגל מפר 42 דבר] חסר מ 44 כי] חסר ר / נהרגו] בחמישה מוסיף א. 45 מכאן רק בכ"י מוצרי P 681.

ג. לקינה 'אהלי אני עבטתי בדיבור סרה'

מקורות: כ"י קויפמן 76 (נוסח היסוד); 2. כ"י מונטפיורי 213 (= מ); 3. כ"י פאריס 605 (= פ); 4. 619 (= ר); 5. 613 (= ס); 6. 609 (= צ); 7. כ"י אוכספורד 1057 (= א); כ"י מוצרי P 25 (=ג). סטרופה ראשונה מועתקת גם בכ"י קויפמן 41 אבל ההמשך בקינה אחרת.

שינויי נוסח: 2 וגודעו א / עשר] חסר מפרסצא 3 שימע] חסר פצ 6 שלח מפרסצא 7 שכל מפרסצאג 8 ונעלם פ / מפתיח] שמע מוסיף מפרסצאג מפתח מפרסצאג / 9 ובוערים] ובעלות ר 10 באימי מר / היתשיר] אותם השיר מפרסצא אותם הישיר ג 11 סיכוך מפרסצא 12 וידום מפרסצאג / ממרחק מפרסצא 13 פיסקה מפרסצ 14 היתה] חסר מפרסצא / נוצרת מ 15 היתה] חסר צ היות לו מ היות פרסא 16 כאז מפסא מאז ר אז בקול ג 18 בהזד] כהוזר ר כהיזר א 19 מקרינת מפרסצאג 20 תקע קול] קול תקע מפרסצ בקול ג 22 קרון מפרסצא 23 בצולה מפרסג 24 קול מפרסצג 25 אתם מפרסא 29 סכותה] בעדם מוסיף מפרסצא בעדי מוסיף ג 31 על קרן ג / מהאצל מפרסצאג 32 ודם ג וידום מפרסצ / ממרחק מפרסצג 33 ואין חיל ר 34 אחד] חסר מפר 35 בו] חסר מ לחרוז] לפרוז מפרסצא 36 ופס מדוכן] ודמם קול ג 37 וחר מפסאג / להשם מפרסא 39 נבואה] כהונה מסג 40 ולא מפס / גדול] חסר מפרסאג 43 כחשו מ / שללו מפרסצאג 44 עד יעזר מפרסצאג / ריח] ענן מוסיפים מפרסצאג 45 בארחו מ 46 יתן ר 48 שימוע] שמע ג שומע ס שמוע מפרצא / עשרה] אלה מוסיף מפרסצא.

יָקְשׁוּ צֹאנְךָ אַרְבַּע לְהַדִּיחֵם
הֲמוֹ[נְךָ הָ]מְמוּ לִמְאֹד ל[. . .] יחֵם
ונאו נְטָשָׁם רוֹעָם לְהַזְנִיחֵם
שׁוֹדְדִים גָּאוּ בְגַאֲוָה לְהַאֲנִיחֵם
עֲזָבָם וְאוֹתָם שׁוּב לֹא יְרַחֵם
בְּךָ בָטַחְנוּ הָאֵל הַמְרַחֵם

ועד מתי

רְעֵה נָא בְשִׁבְטְךָ עַמְּךָ [. . . .]
כְּזַיִת רַעֲנָן שַׁמֵּם וְהַפְרִיחֵם
לָהֶם עֲשִׂירִית תִּמְנֶה וּתְרַחֵם
פְּשָׁעֵנוּ שָׂא נָא וּבִמְצוּל הַדִּיחֵם
הַעֲבֵר רִאשׁוֹן וְהִנָּחֵם
יָחִיד, הַצֹּאן הַעֲבֵר עַל יַד מְנַחֵם

ככ[תוב] בערי ההר בערי השפלה ובערי הנגב ובארץ
בנימין ובסביבי ירושלם עד תעברנה הצאן על ידי מונה אמר
יי (יר׳ לג: יג)

1 **יקשו**: הפילו בפח. **ארבע**: ארבע המלכיות. **להדיחם**: הקריאה מפוקפקת. 3 **ונאו**: אולי צ״ל: ונמו. 4 **גאו**: הקריאה מפוקפקת. **להאניחם**: לגרום שייאנחו. 9 **עשירית תמנה**: על פי פסיקתא דר״כ מהד׳ בובר דף יח א והרבה מקבילות: בעשרה מקומות נמנו ישראל וכו׳ ואחד לעתיד לבוא שנאמר עוד תעבורנה הצאן על ידי מונה. 10 **ובמצול**: ובמצולת ים. 12 **מנחם**: המשיח.

מקורות ושינויי נוסח

מקורות: 1 כ״י קימבריג׳ ספריית האוניברסיטה 13/25 Or. 1080 מהתחלת הפיוט עד **א. לקרובה 'אהלי איכה בשלי הוזעם'.**
טור 29 (= א) לפי כ״י זה נדפס הפנים עד טור 15. 2. כ״י קימבריג׳ ט״ש ס״ח 101.54, מטור 15 עד סוף הנדפס, והוא נוסח היסוד בפנים מט׳ 15 ואילך. 3 כ״י קימבריג׳ ט״ש H 14/36 מהתחלת הפיוט (כתוב בראשו: 'יח אליעזר') עד ראשית ט׳ 9 (= ט); 4. כ״י קויפמן 76 מטור 57 עד הסוף (= ק). קטעים מן הקרובה באים גם בכה״י דלהלן: אדלר 2872 דף 24; ט״ש ס״ח 235.43 ו־315.86. מקורות אלה לא היו לפני בעת התקנת המאמר לדפוס.

שינויי נוסח: 1 בו הנביך] הנביך בי ט 3 ממרון] ממריון ט 8 בכה תבכה] בכה בכה ט כעש בו] נעשבו ט 22 בפישון מיתרי דרכים נטים א 23 לין] ליתא א בקישון] בקישיון א / חלשון] וללשון א 24 ראש] ראשי א נחשון א 25 בה לחיך א 26 ומיצרי א 57 ששונם] שבעה ק כעויו] כעיוו ק 58 עויו] ציוו? ק 59 העדים] העידם ק / יהיו] היו ק 62 בראשינו]

קוֹל אֲבִיָּה יְצַפְצֵף וְיֹאמַר שִׁירָה
רִנַּת יֵשׁוּעַ עֲוֹנוֹת מְכַפְּרָה
שְׁכַנְיָה מְפַלֵּל וּמֵסִיר עֶבְרָה
תְּפִילַּת אֶלְיָשִׁיב חָרוֹן מְסִירָה
יָקִים בַּעֲזָרוֹת בְּעוֹז יְכַרְכְּרָה
הֶגְיוֹן חוּפָּה בְּכִנּוֹר וְעָשׂוֹר יְשׁוֹרְרָה
וְנִיצּוּחַ יֶשֶׁבְאָב יְרַצֶּה אָב, זַעַם לְהָסִירָה
שִׁירַת בִּלְגָּה מַבְלֶגֶת יִשְׂרָאֵל, אוֹיֵב לְהַחְפִּירָה
עֲנִיַּת אִמֵּר בְּזֶמֶר מִכָּל רָע תִּנְצְרָה
בְּרֵירוּת מִילַּת חֵזִיר חֲזִיר תְּשְׁבּוֹרָה
יָפְיִי נִיגּוּן הַפִּיצֵץ יְפוֹצֵץ קָמִים וִישַׁבְּרָה
רִינּוּן פְּתַחְיָה יִפְתַּח שָׁמַיִם לְקַבֵּל עֲתִירָה
בְּשִׁירָה יְחֶזְקֵאל בְּהַכּוֹ צוֹרְרִים יַחְפִּירָה
יָכִין לַמֵּכִין נְצוּרָה בְּיָדוֹ יְשׁוֹרֵר, צָרִים לְמַגְּרָה
כִּשְׁרוֹן גָּמוּל יִגְמוֹל לַחַיָּבִים טוֹבוֹת וְיִשְׁמְרָה
לִיבּוּב דְּלָיָה יְדַלֵּינוּ מִפִּיהָ פָּעֲרָה
פִּילּוּל מַעַזְיָה יְעִיזֵנוּ וְיַחֲזִיר שְׁרָרָה
הֲמוֹנֵי עֲשִׁירִיָּה יְמַהֵר וִיסַפְּרָה

חָדְלוּ מִשְׁמָרוֹת מַרְבּוֹת כַּפָּרָה
זְכוֹר בְּרִית אָבוֹת, וּבָנִים טַהֲרָה
קְהָלְךָ תְּקַבֵּץ שֶׂה פְּזוּרָה
וּכְעַל יָם נְשׁוֹרֵר שִׁיר חָדָשׁ בְּרִנָּה וְזִמְרָה

מי כמוך ממליך כל מלך
יי מלכינו לך ק[וינו] וגו׳

לחש; תפילה. **מרצה**: מפייס. **טס בסערה**: כינוי לקב״ה. 10 **מכפרה**: בכה״י כנראה: מספרה. 13 **בעזרות**: בעזרה, בביהמ״ק. **בעוז יכרכרה**: השווה שמ״ב ו:יד. 14 **הגיון**: שירה. 15 **אב**: כינוי לקב״ה. 16 **מבלגת**: מחזקת, על פי עמוס ה:ט. 18 **ברירות**: הפיענוח מפוקפק. **חזיר**: כינוי לאדום. 21 **בשירה... בהכו**: כך נראה בכה״י, ואולי הוא מלשון ׳החליל מכה לפניהם׳ (בכורים ג:ד). 22 **למכין נצורה בידו**: נ״ל כינוי לקב״ה. ו׳מכין׳ כמו: ׳מכונן׳. 24 **מפיה פערה**: משאול (יש׳ ה:יד). 25 **יעיזנו**: יקבצנו. 26 **עשירייה**: כינוי לישראל (יש׳ ו:יז).

ככ[תוב]

ויאמר אל אברם קח נא את בנך את יחידך אשר אהבת את יצחק ולך לך אל ארץ המוריה והעלהו לעולה על אחד ההרים אשר אומר אליך (בר׳ כב; ב) ונ[אמר] ואת שבת קדשך הודעת להם מצות וחקים ותורה צויתה להם ביד משה עבדיך [נח׳ ט; יד] ונ[אמר] תביאמו ותיטעמו (שמ׳ טו; יז)

יְדֶיךָ יִסְמְכוּנוּ / חֲסָדֶיךָ יְסוֹכְכוּנוּ / בְּצֵל יְמִינְךָ תְּגוֹנְנֵנוּ

ברוך א[תה] יי מגן אברהם

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בכת״י ט״ש ס״ח 132.37 מועתקים קטעים אחרונים ממערכת יוצר מטיפוס מזרחי. בדף שלפנינו (ע״ב שלו בערבית באותיות ערביות) באים חלק מן הזולת (מאות כ׳ של א״ב ישר), פיוט ה׳יי מלכנו׳ וה׳ועד מתי;׳ ה׳מי כמוכה׳ חסר. בזולת, העשוי, שלא כבדרך כלל, בחריזה בלתי מתחלפת, נזכרים משמרות הכהנים בזה אחר זה לפי סדרם ובשמות שנתכנו בהם במקרא. את המשמר השני, ידעיה, השמיט הפייטן משום מה. שמות של משמרות הכהונה נזכרים גם בזולת אחר, לחתן, שנדפס לראשונה ע״י ש׳ קליין ב׳ישורון׳ של וואלגמוטה, שנת 1920 חלק עברי ע׳ צ ואילך, והשלים אחריו ש׳ אברמסון במאמרו ״קרובות לחתן,״ ׳תרביץ׳ טו (תש״ד) עמ׳ 52 ואילך. הפיוטים שלנו חתומים בידי פייטן בשם יהושע בר כלפה, ואף הוא, עד כמה שידוע לי, פנים חדשות בפייטנות. אדם בשם יהושע בר כלפה נזכר בתעודה מן הגניזה השמורה באוכספורד כ״י 2877/27, כפי שציין ש׳ אברמסון בספרו ׳במרכזים ובתפוצות בתקופת הגאונים,׳ ירושלים תשכ״ה, עמ׳ 88, הערה 24. כה״י שלנו נראה מועתק בידי הפייטן ר׳ עלי בר יחזקאל הכהן; עיין צילום של כתיבת ידו אצל י׳ מאן, Texts and Studies, עמ׳ 719.

הנה לשון הפיוטים:

— — —

כִּילֵּל דָּוִיד עֶשְׂרִים וְאַרְבָּעָה מִשְׁמָרוֹת לַנּוֹטֵרָה
לַהֲקַת יְהוֹיָדָע עֶשְׂרִים וְאַרְבַּע אֶלֶף בִּגְבוּרָה
מִשְׁמֶרֶת יְהוֹיָרִיב כְּמוֹתוֹ בַּעֲלֵי אַזְהָרָה
נְעִימַת חָרִים בִּזְמִירוֹת וּבִכְלֵי שִׁירָה
שְׂעוֹרִים לְשָׁרֵת וּלְשׁוֹרֵר בְּקוֹל זִמְרָה
עוֹז מַלְכִּיָּה מְלַבְלֵב לְלוֹבֵשׁ גֵּאוּת וּגְבוּרָה
פְּאֵר מִיָּמִין נוֹתֵן בְּשָׂפָה בְּרוּרָה
צְקוּן הַקּוֹץ מְרַצֶּה טָס בִּסְעָרָה

*1 כילל דויד: על פי דהי״א כד: ג. לנוטרה: כינוי לישראל. 2 להקת יהוידע: עיין דהי״א כו: ה. 3 כמותו: כשם אביהם. בעלי אזהרות: נזהרים במצות. 8 צקון כמו: צקון

להשלמת עניין המשמרות בפיוטים הנני מביא כאן פיוט ראשון מתוך קדושתא לשבת שמחרוזותיה מיוסדות גם כן על שמות המשמרות. שלא בקומפוזיציות שהוזכרו לעיל מצרף הפייטן כאן את כל המשמרות בקרובה אחת, מעין מה שמצאנו בקרובות המשמרות של הקלירי, ובשבעתא נוספת לזכר המשמרות שהדפסתי במקום אחר.[46] הקטע מיוחס בכתב היד לפייטן בשם 'מסאפר החז[ן]' והוא, עד כמה שידוע לי, פנים חדשות בפייטנות. אדם בשם 'מסאפר אלחזן' נזכר בתעודה שנמצאה בגניזת קהיר ושנראית מציינת שמות של בני פוסטאט באמצע המאה הי"א.[47] סגנון פייטננו ואקלים פיוטו נראים מחזקים את ההשערה שהוא זהה עם הנזכר בתעודה זו. מקור הפיוט בכ"י מוצרי P347.

קדשה לשבת למסאפר החז[ן]

אוֹת נוֹפֶשׁ מֵרֹאשׁ הִשְׁתִּיק רִיב
בּוֹ שֶׁימֶשׁ יְצִיר הֶעֱרִיב
גַּם נִיחוֹחוֹ דִּין לְהַעֲרִיב
דְּרוֹשׁ רִאשׁוֹן בְּמִשְׁמָרוֹת יְהוֹיָרִיב

הוֹד בִּירְכָתוֹ עִיטְּרוֹ יָהּ
וְנִיתְמַנָּה לְמַרְגּוֹעַ וְלִשְׁעִיָּה
זֶבֶד מַתָּנָה לְאוֹם רְצוּיָה
חֲדוּיָה בְּמִשְׁמַר יְדַעְיָה

טוֹב בִּכְבוֹד שַׁבָּת קַרְנָם הֵירִים
יָגִילוּ בְּמַלְכָּם מְוּבְחָרִים
כְּגָשׁ לַעֲקוֹד בְּאַחַד הֶהָרִים
לְהֵירָצוֹת בְּמִשְׁמַר חָרִים

הערות לפיוט 'אות נפש': 1 **אות נפש**: השבת. **השתיק ריב**: סומך על האגדה שלפיה לימדה שבת סניגוריה על אדם הראשון לאחר שחטא (עיין פרקי דר"א יט). 2 **בו**: בשבת ('אות נופש'). **יציר**: אדם הראשון. **העריב**: לפי שנתגרש מגן העדן בששי בין הערביים. והשווה גם ע"ז ח א. 3 **גם וכו'**: שיעורו: גם בניחוחו, כדי להמתיק את הדינים, דרוש את הראשון שבמשמרות. 5 **הוד ברכתו**: של שבת. 6 **ולשעיה**: לקבלת תפילותיהם של ישראל. 7 **אום רצויה**: ישראל. 8 **חדויה**: השמחה (הנושא: 'אום רצויה') במשמר ידעיה. 9 **קרנם**: של ישראל. 10 **במלכם**: בקב"ה. 11 **כגש וכו'**: שיעור הטורים: שיירצו ישראל במשמר חרים כמו שנרצה מי שניגש לעקד את בנו על אחד ההרים (בר' כב: כ).

46 בנספח למאמרי שנזכר לעיל סיני סא (תשכ"ז) עמ' נד ואילך. בקטע שלהלן נזכרים שלושה משמרות בלבד ואין ספק שהפייטן המשיך את רשימתם בקטעים שאינם בידינו לפי שעה.

47 עיין I. Mann, *The Jews in Egypt II*, (Oxford, 1902), p. 247 פרופ' ש"ד גויטיין מעמידני בטובו על כך שמסאפר שלנו ידוע מכמה כתבי הגניזה. שמו המלא הוא מסאפר בן יוסף החזן הבבלי. האיש ישב תחילה באלכסנדריה ואחר כך יצא לעיר פוה לבקש שם פרנסה. בכ"י אוכספורד 2878 דף 23 מובא מכתב שלו אל גיסו יהודה, ששימש מלמד בבית כנסת העיראקים בפוסטאט.

טִיפִּי עִם עַמּוֹ כְּיָרִיב
יָהּ צַדְּקֵינוּ בְּעָמְדֵנוּ לָרִיב
כּוֹנֵן מִשְׁ[מַר] יְהוֹ[יָרִיב]
לְקַדֶּשְׁיךָ בְּינִיֵני עִם לָבָן הֵירִיב

ב׳

מְשַׂנְאֵינוּ הַיּוֹם תָּרִיב
נַקֵּינוּ בְּצֶדֶק שְׁלוֹשִׁים מֶלֶךְ הֶחְרִיב
שַׂמַּח מִשְׁ[מַר] יְהוֹ[יָרִיב]
עֲשׂוֹת שַׁבָּת כְּצִוּוּי צוּר בַּצַּר לָנוּ הֵרִיב

ב׳

פַּח פְּרוֹס עַל צָרַיי וְאוֹתָם הַזְרִיב
צַדִּיק עַל הָעַי כִּי אריב
קַהֵל מִשְׁ[מַר] יְהוֹ[יָרִיב]
רְצֵינוּ כְּשֵׂי עַל מִזְבַּחֲךָ לְהַקְרִיב

ב׳

שַׁוְועָתֵינוּ רְצֵה, מְכַהֵן וּמַקְרִיב
שׁוֹר וְכֶשֶׂב וָעֵז עוֹד לְהַקְרִיב
תְּרַפֵּא מִשְׁ[מַר] יְהוֹ[יָרִיב]
תָּמִיד לְךָ נוֹמַר וְנוֹדֶה וְנַקְרִיב

ב׳

פְּרַע מְלוֹחֲצֵינוּ וְאוֹתָם תָּרִיב
[... ... ...]
נָא חַסֵּן מִשְׁ[מַר] יְהוֹ[יָרִיב]
סַגֵּב בְּרָכָה וְשָׁלוֹם מַזְרִיחַ וּמַעֲרִיב

ב׳

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ליהושע, וצ״ל שלושים ואחד מלך (יהושע יב:כד). 17 פח: מצודה ללכדם. הזריב: עיין איוב ו:יז. 18 כי אריב: נ״ל שצ״ל: כהריב, ר״ל כמו שרב הצדיק עם העי, ורומז לפי זה שוב ליהושע (יהושע ח:א ואילך). וקצת תמוה שהשמיט הפייטן זכותו של משה. 21 מכהן ומקריב: יורד אל הטור הבא: כדי שמכהן ומקריב עוד יקריב שור וכבש ועז. 25 פרע: היפרע. 26 המעתיק דילג על הטור הזה.

נספח

לעניין המשמרות בפיוטים

עניין משמרות הכהנים בפייטנות, התופש מקום חשוב גם בקרובת הקלירי שנדפסה לעיל, עורר מאז התגליות הראשונות של גניזת קהיר התעניינות רבה בקרב החוקרים.[43] על פי תגליות אלו נתברר לראשונה שהנושא פרנס לא רק את פיוטי ט״ב, אלא עניין היה גם ליצירות עצמאיות שהוקדשו לו, ושקשורות היו מצדן במנהגים ארץ ישראליים שלא ידענו עליהם מעולם.

בין כתבי היד שלגניזה שרדו לנו כמה קומפוזיציות מסוג הקרובה שדנות בנושא זה ושנועדו להיאמר, כנראה, בקצת קהילות ארץ ישראליות, מדי שבת בשבתו, שבת שבת ומשמרתה, משמרת משמרת וקרובתה. שני פייטנים ידועי־שם פייטו קרובות של שבת לזכר משמרות הכהונה, אחד מהם הדותה, פייטן ארץ ישראלי קדמון שחלק ניכר מכ״ד קדושתאותיו על המשמרות פורסמו בסוף שנות העשרים על ידי פ׳ קאהלה,[44] ושני מהם ר׳ פינחס בירבי יעקב הכהן, איש כפרא שליד טבריה ובן המאה השמינית בערך, ש־11 מכ״ד השבעתות שלו למשמרות נתפרסמו על ידי.[45] נתגלגלה לידי כעת שבעתא נוספת מסדרת השבעתות של ר׳ פינחס והיא הראשונה במחזור: היא כתובה לזכר משמר יהויריב. אין ספק בהשתייכותה לסדרת השבעתות של ר׳ פינחס; היא מביאה את כל הסימנים האופייניים לפיוטי המחזור הזה, כולל החתימה החד־משמעית בסוף הא״ב. מקור הטכסט בכ״י ט״ש ס״ח 118.28.

בשם יי

אֵל רִיבֵינוּ רִיב
בְּאַף צָרֵינוּ [תָּרִיב]
גֵּדֵל מִשְׁ[מַר] יְהוֹיָרִיב
דּוֹרְשֵׁינוּ בְּטַעַם מְלָכִים הֵירִיב
ב׳

הָאֵל מַלְטֵינוּ מֵרִיב
וְאַל תָּבוֹא עִמָּנוּ בְּרִיב
זְכוֹר בְּחֶסֶד מִשְׁ[מַר] יְהוֹ[יָ]רִיב
חֲשׂוֹר לָנוּ בְּצֶדֶק עִם אֲבִימֶלֶךְ הֵירִיב
ב׳

הערות לפיוט ׳אל ריבנו׳: 4 בטעם: כמו למען. מלכים היריב: אברהם (בר׳ יד: א ואילך). והרמז לאברהם הוא גם המעבר לברכת מגן אברהם. 8 חשור לנו: השפע עלינו, טל או גשם. עם אבימלך היריב: מי שרב עם אבימלך, כלומר יצחק (בר׳ כו: א ואילך). 9 טיפי עם: אין בידי לישב טור זה. 12 עם לבן היריב: יעקב. 14 שלושים מלך: רומז

43 עיין לעיל, הערה 14.

44 עיין P. Kahle, *Die Masoreten des Westens*, (Stuttgart, 1927) בחלק העברי.

45 סיני סא (תשכ״ז) עמ׳ ל ואילך. מלבד סדרה זו של שבעתות לזכר משמרות הכהונה חיבר ר׳ פינחס סדרה נוספת של פיוטי משמרות שכיוונם להיאמר בברכה האחרונה של העמידה. פיוטים אלה נדפסו בידי מ׳ זולאי, ידיעות המכון וכו׳ ה, עמ׳ קלח ואילך, וטיבם לא נתברר עדיין כל צרכו.

יִשְׂרָאֵל / טִינַּפְתְּ בְּמִכְפַּל צוֹפִים וְוִיכּוּחַךְ | הֵם הֵם בְּכֶכֶל נֶחָמוֹת יְסִיחוּךְ
טִיט צוֹאֵךְ אֲשֶׁר בּוֹ הֶסִיחוּךְ | בְּרוּחַ מִשְׁפָּט מֶנּוּ יְדִיחוּךְ
טֶרֶם יוֹכִיחוּךְ | אָלוֹת יְשַׁכְּחוּךְ | לְבַל עוֹד יַפְצִיחוּךְ | כָּל מְאַהֲבַיִךְ שְׁכֵחוּךְ

כָּל מְאַהֲבַיִךְ שְׁכֵחוּךְ / בְּתוֹכֵךְ יְהוּא מְדֻשָּׁנִים
בְּשִׁיבַת זְקֵנִים | חֲדָשִׁים גַּם יְשָׁנִים
צוֹפְנִים בְּטַל עֲדָנִים | מְבָרֵךְ הַשָּׁנִים
ברוך מברך

הַשָּׁנִים / יַחֵד כְּקַדְמָתִי | וְעוֹד בַּל תִּזְעַק עָלַי אַדְמָתִי
יַעַן וּבְיַעַן פָּרַעְתִּי נִישְׁמָתִי / בְּאַרְבַּע וּשְׁמוֹנִים מָעַלְתִּי נִשְׁמָתִי
יִימַּח דִּמְעָתִי / יְשַׁכַּח נַהֲמָתִי / לְשַׂגֵּב חוֹמָתִי / וּתְהִי עוֹד נֶחָמָתִי

וּתְהִי עוֹד נֶחָמָתִי / יָעַד [.... .... אל]
לַנּוֹדַע בַּשְּׁעָרִים הֲדַר אֲרִיאֵל
[.... ....] לְהַחֲזִיק אֵל | מְקַבֵּץ נִדְחֵי יִשְׂרָאֵל
ברוך מקבץ

28 **טינפת**: חטאת. **במכפל צופים וויכחוך.** ושני נביאים הוכיחוך. והוא מיוסד על מה שנאמר בפסיקתא רבתי לג (קנג, ב) ובמקבילות: כמה שלוחים שלחתי לכם ולא שמעתם להם כמו שכתוב ואשלח עליכם את כל עבדי הנביאים יום השכם ושלוח (יר׳ ז: כה) וכו׳ כמה נביאים היה הקב״ה משלח אצל ישראל בכל יום שיעידו בהם וכו׳ מיעוט נביאים שניים, אחד בבוקר ואחד במנחה. **בכפל נחמות**: על שום יש׳ מ:א והדרשה באכ״ר סוף פרק א ובמקבילות: חטאו בכפלים ולקו בכפלים ומתנחמים בכפלים. 29 **צואך**: צואתך. **הסיחוך**: שמוך סחי ומאוס. **ברוח משפט**: עיין יש׳ ד:ד. **ידיחוך**: מלשון ׳ואת דמי ירושלים ידיח מקרבה׳. 30 **יפציחוך**: יאמרו לך. **כל מאהביך וכו׳**: יר׳ ל:יד. 31 **שכחוך**: כמו: אשר שכחוך. 33 **צופנים**: עיין שה״ש ז:יד. והוא כמו: צפונים בטל עדנים של הקב״ה המברך את השנים.

34 **השנים יחד**: כמו: חדש. **ועוד וכו׳**: על פי איוב לא:לח. 35 **פרעתי**: החטאתי. **בארבע ושמונים**: איני יודע כוונתו. 36 **ותהי עוד וכו׳**: איוב ו:י.

ובשרנו פֶּלֶא וְשׁוֹרַרְנוּ וַיּוֹשַׁע | כֵּן נוֹשַׁע נַחַז וְנָסִיחַ וַיּוֹשַׁע
וּנְצוּרִים תִּישַׁע | מֵהֱיוֹת שֹׁרֶשׁ רֶשַׁע | כִּי אָהַבְתָּה צֶדֶק וַתִּשְׂנָא רֶשַׁע

אָהַבְתָּ צֶדֶק וַתִּשְׂנָא רֶשַׁע / ב[...] לֶאֱלוֹהַּ
בְּיַד כָּל חוֹזֶה הַשְׁכֵּם וְשָׁלוֹחַ | פִּשְׁעָם נָא סָלוֹחַ
[.... ...] לִסְלוֹחַ | הַמַּרְבֶּה לִסְלוֹחַ

ברוך המרבה לס׳

לִסְלוֹחַ / [זְדוֹנַיִךְ] וּלְסַעֲדֵךְ | בְּשִׁבְעַת וְוָעֲדַיִךְ אִיתָּה לְוַעֲדֵךְ
[זַדְתְּ] וְלֹא אִיזַּנְתְּ וְאַצְתִּי לְמַעֲדֵךְ | לַחֲמוֹס סוֹכֵךְ לְשַׁחֵת מוֹעֲדֵךְ
[זָכַרְתִּי] וִויעוּדֵךְ | עֵידַי לְהָעִידֵךְ | [...] מָה אֲעִידֵךְ

מָה אֲעִידֵךְ / יְשׁוֹכַח וּמַלְכֵּךְ [.......] אל
וְכִסֵּא מְלוּכָה יִיגַּל אֲרִיאֵל
ו[...] וְתָגִילִי בְּבוֹא לְצִיּוֹן אֵל | גּוֹאֵל יִשְׂרָאֵל

ברוך גואל

יִשְׂרָאֵל / חוּשָׁה גְּאוֹל בְּחוֹזֶק יָד / מָכִים דָּכִים תְּכָכִים וּמָטֵי יָד
חוֹר יִיפָּתַח שָׁלוֹחַ מֶינּוּ יָד | כִּי נוֹפְצָה יָד
חַלְּתִי פְּרוֹס יָד | וְאֵין מַחֲזִיק יָד | וְנָמוּ נִיחֲתָה יָד | אַךְ לֹא בְּעִי יִשְׁלַח יָד

אַךְ לֹא בְעִי יִשְׁלַח יָד / רָפַדְתִּי אַחֲרֵי אֵל
וְהוֹחְפַּרְתִּי בְּצֶוַח כּוֹהֲנֵי אֲרִיאֵל
עַד עָוֹצְבִּי יְחַתֵּל אֵל | רוֹפֵי חוֹלֵי עַמּוֹ יִשְׂרָאֵל

[ברוך רופא]

׳שובי׳. והוא מכוון אולי לשה״ש ז:א: שובי שובי השולמית. 11 **ובשרנו**: כך בכה״י, ונ״ל שצ״ל: וכשרנו, ר״ל כמו שראינו. והוא מקביל אל ׳נחז׳ שבצלעית הבאה. **פלא**: בקריעת ים סוף. **ויושע**: שמ׳ יד:ל. **כן**: כך ניגאל ונשיר לעתיד לבוא. 12 **ונצורים**: אל ישראל **אהבת צדק וכו׳**: תה׳ מה:ח.

16 **לסלות וכו׳**: הוסף: הרביתי לסלוח זדוניך. **בשבעת וועדיך**: בשבעת מקדשייך. על פי התנחומא מהד׳ באבער תולדות, ח: שבעה מקדשות עתידים להחרב. 17 **איזנתה**: הקשבת. **לחמוס סוכך לשחת מועדך**: על פי איכה ב:ו. 18 **וויעודך**: התועדותך אתי. **מה אעידך**: שם שם:יג. 20 **אריאל**: כנראה כמו: באריאל. וכאן נראה שחסרה צלעית.

22 **ישראל**: כמו: את ישראל. **מכים וכו׳**: כינויים לישראל. **תככים**: עניים, על פי מש׳ כט:יג. 23 **חור ייפתח**: פתח לישועה יפתח. והוא על פי שה״ש ה:ד. **כי נופצה יד**: כי נשברה ידם של ישראל (עיין דנ׳ יב:ז). 24 **חלתי**: התחננתי, חיליתי פנים. **פרוס יד**: שיפרוס לי מישהו ידו. **ניחתה יד**: על פי תה׳ לח:ג. **אך לא וכו׳**: איוב ל:כד: 25 **רדפתי**: איני יודע לפרש צלעית זו. 26 **והוחרפתי**: ובויישתי. **בצוח**: בגערת. 27 **עוצבי**: כאבי. **יחתל**: ירפא.

האחרונות ואת הפיוט המשלים את הא״ב שלה. כעת נסתייע בידי להביא השלמה לקרובה זו על פי דף נוסף מכ״י קויפמן הנ״ל שמצאתיהו באוסף ט״ש ס״ח 71.46. כתב יד זה, שכ״י קויפמן הוא המשכו הישר, מכיל שש חטיבות נוספות מן הקרובה, ולפי זה חסרות לנו כעת מראשה רק שלוש חטיבות ומחצה.

מבנה הקרובה הזאת פשוט, כאמור, ואין בו סימני יחוד מלבד שניים: אחת שכל חטיבה מחטיבותיה פותחת בדרך השרשור במלת הסיום של הברכה שלפניה ומסתיימת בנוסח (המלא?) של חיתום הברכה שצריכה לבוא אחריה,[42] דבר שמאפשר לנו לשחזר את נוסח ברכות העמידה ששימשו את הקלירי, ושניה שהסטרופות המשניות של הקרובה פותחות, בדרך השרשור, לא בתיבה האחרונה של הסטרופות הראשיות, כמקובל, אלא במלוא כל טורן האחרון, שהוא פסוק מן המקרא. דרך זו בשרושור לא מצאנוה כמדומה מעולם בפייטנות הקדומה.

הקטעים שלפנינו מביאות את האותיות ה׳—י׳ בראשי הטורים של הסטרופות הראשיות וחלק מחתימת הפייטן (״...זר בירבי...״) בראש הסטרופות המשניות (אחרי פסוק השרשור).

והנה מה שניתן לפיענוח מכתב היד:

בְּרֹב שַׂרְעַפַּי בְּקִרְבִּי / זְרוֹעַ [רֶשַׁע] שְׁבָטַיי מְגַדַּעַת
קַרְנֶיהָ יְגֻדְּעוּ וּתְהִי זֹאת מוּדַעַת
כִּי נָחָה רוּחַ מָשִׁיחַ רוּחַ דַּעַת | חוֹנֵן הַדָּעַת

ברוך חונן הדעת

הַדַּעַת / הַיְקָר הָשֵׁב לְרוֹמְמֵנִי | כְּחוֹתָם עַל לֵב לַהֲשִׂימֵנִי
הַזּוֹלְלִים אֲשֶׁר אָצוּ לְהַכְלִימֵנִי | הֵבֵאתָה יוֹם קָרָאתָה [וְיִהְיוּ כָמוֹנִי]
הֲלֹא אַתָּה מְרַחֲמֵנִי | תָּשׁוּב תְּרַחֲמֵנִי | תֶּרֶב גְּדוּלָּתִי וְתִסּוֹב תְּנַחֲמֵנִי

תֶּרֶב גְּדוּלָּתִי וְתִסּוֹב תְּנַחֲמֵנִי / רְצֵה [חִינָּם] תְּשׁוּבָה
רְבוּצָה מְיוּשָּׁבָה | רְאוּתִי שְׁנֵי שָׁדַיי בִּישִׁיבָה
שׁוּבִי מַקְשִׁיבָה | מִפִּי הָרוֹצֶה בִּתְשׁוּבָה

ברוך הרוצה

בִּתְשׁוּבָה / וָנַחַת תָּחִישׁ פְּדוּת יֶשַׁע | לְנַחֵם לְרַחֵם שָׁבֵי פֶשַׁע

הערות לפיוט ׳...ברוב סרעפי.׳ 1 ברוב וכו׳: תה׳ צד: יט. רשע: הפיענוח מפוקפק. 2 ותהי זאת מודעת: על פי יש׳ יב: ה. 3 כי נחה: שיעורו: כי נחה רוח על משיח, רוח דעת את יי (׳חונן הדעת׳). והוא על פי יש׳ יא: ב.
4 היקר: כמו: והיקר. כחותם וכו׳: על פי שה״ש ח: ו. 5 הבאתה וכו׳: איכה א: כא.
6 תשוב וכו׳: על פי מי׳ ז: יט. תרב גדולתי וכו׳: תה׳ עא: כא. 8 רבוצה וכו׳: שיעורו: שראה (׳ראותי׳) שני שדי בישיבה, כשאני רבוצה ומיושבה בשלווה. ו׳שני שדי׳ הם משה ואהרן על פי מדרש רבה לשה״ש ד: ה. 9 שובי מקשיבה: כשאני שומע מפי הקב״ה

42 מעין שיטה זו באשר לחתימת החטיבות נהוגה בידי הקלירי גם בקרובתו הראשונה. כיו״ב מצאנו גם בשאר פיוטים קדמונים, משל הקלירי ומשל זולתו.

כפי שכבר צויין לעיל אין בטחון מוחלט לא ביחוסם של הפיוטים הללו לקלירי וגם לא בשייכותם לסדרה אחת, אף על פי ששני העניינים קרובים מאוד אל הודאי, לכל הפחות באשר לארבעת הפיוטים הראשונים שהובאו בזה. אשר לקטע האחרון הרי תבניתו יוצאת הדופן נראית מצדיקה פקפוקים בשתי הסוגיות כאחת. אבל יש לציין שהפיוטים שלפנינו אינם היחידים שנכתבו בתבנית זו, ויש בידינו קטע קטן מתוך פיוט נוסף המיוסד אף הוא על הפסוק בירמיה י׳:כ׳ ועל התחלות פסוקים מאיכה א׳, כלומר הוא עשוי בדיוק כמתכונת הפיוט הראשון של סדרתנו. קטע זה מובא בכ״י המוזיאון הבריטי 5557F דף 58 שכבר הוזכר לעיל, מיד אחרי קינת ההשלמה של קרובת הקלירי שנדפסה לעיל. וזה לשון הקטע:

אָהֳלִי אֵיכָה / אֻופַּל בְּמַעֲלִי
[... ... ...] אֶבְלִי
בָּכֹה / בָּכִיתִי גַּם עַל חַכְמֵי קְהָלִי
[... ... ...]

שֻׁודַּד גָּלְתָה / אֲרוּכָה וְתַעַל
וְכָל דְּרָ[כַי] מֵעוֹבֵר שִׁיכֵּל וְגִיעַל
דַּרְכֵי / [....] עִיוְּתוּ וְהָיוּ רַעַל
וְעָלָיו הִילַּכְתִּי אַט חֲלוּץ נַעַל

וְכָל מֵיתָרַי הָיוּ / נִקְצָצִים בָּחֲרִי
כִּי סָרַח וּבָאַשׁ קָרְבַּן בְּשָׂרִי
וַיֵּצֵא / [....] זָעוּף מִדְּבִירִי
וְעַל הִפְשִׁיטוּ גָּדַל שְׁבָרִי

מציאות קטע זה מערער את שייכותו של פיוט א׳ דלעיל לסדרתנו ואפשר שדוקא פיוט זה, שלא הגיע לידינו במלואו, הוא השייך להרכב המקורי של המחזור. ברם כבר ראינו שסטרופת המעבר המובאת בכה״י רומזת לפיוט שנושאו בהסתלקות השכינה מבית המקדש והוא נושא פיוט א׳ שנדפס בשלמותו, מה שאין כן הפיוט הקטוע שנראה דן בנושאים כלליים. קרוב אפוא להניח שההרכב ששוחזר כל ידינו הוא האותנטי ואילו הקטע שלפנינו הוא פיוט בודד, אולי של הקלירי או שמא של פייטן מאוחר ממנו שחיקהו בזה.

[ג]

ארבע מתוך חמש קרובותיו של הקלירי לט״ב נמצאות בידינו בשלמותן או כמעט בשלמותן. הקרובה הרביעית בלבד, שהיא לכאורה הפשוטה שבהן, לא נותר לנו ממנה אלא שריד קטן ופגום בכ״י קויפמן 78 והוא מכיל רק את ארבע חטיבותיה

מֵימֵינוּ / דִּיווּם בְּרָעָב בְּצָמָא בְּעֵירוֹם וּבְחוֹסֶר כֹּל וָכֹל

וְכָל עַל צַוָּארֵינוּ / הִידְרִיךְ בְּכַף רֶיגֶל לְהָשִׁבָה מִצְרַיִים
מִצְרַיִם / וְשָׁלֹשׁ לֹא שָׁלְטוּ, וְזֶה שָׁלַף חֶרֶב בְּאָהֳלִי וּגִידֵּד מֵיתָרַ

מֵיתָרַי אֲבוֹתֵינוּ / זִימְּנוּם כְּיָצְאוּ בְּחוֹזֶק יָד מִבֵּית עֲבָדִים
עֲבָדִים / חֲרוּלִים אֵיךְ שִׁימְּטוּם וְעַל מִים נִיתְּקוּ

נִיתְּקוּ בְּנַפְשֵׁינוּ / טוֹבְחִים וַעֲצָמֵינוּ מְפַצְּחִים לְהַפְשִׁיט עוֹרֵינוּ
עוֹרֵינוּ / יֵקַד יְקוֹד, וּבְשׁוּרְךְ קוֹנַנְתָּה וְאָלִיתָה עַל בָּנַיי

בָּנַי נָשִׁים / כְּבָלוּם לצולי נעוצה רוֹזְנִים עִים שָׂרִים
שָׂרִים / לִקְבוּרַת חֲמוֹר סָחוּב וְהַשְׁלֵךְ וְאַתָּה צוֹעֵיק בָּנַיי יְצָאוּנִי

יְצָאוּנִי בַּחוּרִים / מְהַלֵּיךְ אִיתָּם בְּתוֹךְ הַגּוֹלָה אָסוּר בַּזִּיקִים עִים זְקֵינִים
זְקֵינִים / נִיסְקְדוּ בְּכוֹבֶיד עוֹל יִכְלוּ שָׁם וּבִוקְשׁוּ וְאֵינָם

וְאֵינָם שָׁבַת / סוֹבֵיל וְכָשַׁל עוֹזֵיר וּבְכֵן סְוֹכָם נָוֹפְלָה
נָפְלָה / עֲטֶרֶת רֹאשׁ וְלֹא תוֹסִיף קוּם כִּי אִים אֵן נוֹטֶה

נוֹטֶה עַל / פינת קַיו כִּי מְוּגַּר כֵּס הוּקַם עָל
עַל / צְבָא [..] אֶידְרוֹךְ קֶשֶׁת וּפֹא אֵשֵׁב וְאַצִּיעַ שִׁיחֵנוּ וְאֶיטַּע עוֹד אָהֳלִי

אָהֳלִי אַתָּה / קָנִיתָה וְלֹא [..] בְּיָדָם לֵאמֹר לָמָּה
לָמָּה / רְאִיתֶם עָמָל וָכַעַס לָתֵ[ת] בְּיָדָם מֵיקִים יְרִיעוֹתַיי

וּמֵקִים יְרִיעוֹתַיי הֲשִׁיבֵינוּ / שִׁיוַּעְנוּךְ עַל נְהָרוֹת וְנַמְתָּה לֹא כִי
כִּי / תְּבַעְנוּךְ הִבְלַגְתָּה וְשַׁבְתָּה לְתִילְךְ וּמְצָאתוֹ תֵּל עוֹלָם

*

4 דיוום: קלקלום, מלשון ׳דוי׳. ברעב וכו׳: על פי דב׳ כח: מח. 5 וכל: את כל אומות העולם. להשבה מצרים: להחזירנו למצרים לשבי. על פי דב׳ כח: סח. 6 ושלוש: ושלוש מתוך ארבע המלכיות. לא שלטו: לא משלו בנו אלא לזמן קצר. וזה: אדום, המלכות הרביעית. 7 אבותינו זימנום: את המיתרים הללו, של אוהל מועד, ר״ל של המקדש, אבותינו הכינום בצאתם ממצרים. 8 חרולים: המשולים לקוצים ודרדרים. ועל מים: נראה משובש. ואולי צ״ל: ועל מה. 9 ניתקו: לשון קריאה: ניתקו מיתרינו! 10 יקד יקוד: על פי יש׳ י: טז. ובשורך: וכשראית. ואליתה: וספדתם. 11 לצולי: אולי כתוב: לצולם, ר״ל: לצלותם. נעוצה: אין בידי להלום תיבה זו. והפיענוח מפוקפק. אפשר שכתוב: יעוצה. 12 לקבורת חמור: יר׳ כב: יט. 15 וכשל עוזיר: על פי יש׳ לא: ג. 16 נפלה... לא תוסף קום: עמוס ה: ב. 17 פינת: נ״ל שצ״ל: פיניתי. נוטה... קו: על פי איכה א: ב חשב יי להשחית חומת בת ציון נטה קו וכו׳. 17 כס הוקם על: בית המקדש. 20 למה ראיתם וכו׳: על פי תה׳ י: יד. מיקים יריעותי: כינוי למלך ישראל.

הָיָה חֶרְפָּה לִשְׁכֵנָיו

אֵין פְּנֵי / נֶגֶד צוֹרְרָיו
לְהַגִּיעוֹ לְרֹחַב חֲצֵירָיו
צָרוּ / צְעָדָיו וְהָרְסוּ מִבְצָרָיו
הֲרִימוֹתָה יְמִין צָרָיו

נוֹטֶה עוֹד קַלִּים / לְהַגִּיעוֹ לְעָבָיו
וְאֵיךְ דִּכִּיתוֹ בְּיַד בַּעֲלֵי דְּבָבָיו
אָהֳלֵי רוּחַ / שְׂפָתָיו הִילְלָה אוֹיְבָיו
וְעָלָיו הִשְׂמַחְתָּה כָּל אוֹיְבָיו

וּמֵקִים שִׂשִׂי / וְאוֹתִי הִסְגַּרְתָּה
וּמַלְכֵּי בְּעוּץ וּבוּז בְּיָדָם סִיגַּרְתָּה
יְרִיעוֹתַי תַּם עֲוֹנֵךְ / וְאִיתִּי לֹא גַּרְתָּה
וְכִסְאוֹ לָאָרֶץ מִיגַּרְתָּה

[ה]

אָהֳלִי זְכוֹר / אֵיךְ אֱדוֹמִי עָר עַד הַיְסוֹד וּפִיגֵּר נַחֲלָתֵינוּ
נַחֲלָתֵינוּ / בָּא בָּהוּל שָׁאוֹן מֵעִיר וְהֵכָל שׁוֹדֵד

שׁוֹדֵד יְתוֹמִים / וְגָזַל אַלְמָנוֹת נִשְׁתָּם מִיגְּמוֹת מֵימֵינוּ

הוסף: בני יצאוני ואינם. 30 משרתי: כי״ט: מנעימי. 31 עודינו: נ״ל מדבר שוב במשיח יי. בלהב סכיניו: בלהב הסכינים השלופות כנגדו. כי״מ: ביד סכוניו. 33 אין פני: כמו: אין לו פנים להרים כנגד צורריו. אבל שתי המקבילות גורסות: אין פני ציריו. להגיעו וכו׳: להגיע למרחב. להגיעו: כי״ט: להשיבו. לרחב: כי״מ: למרמס (!). 35 והרסו: כי״מ: ונהרסו. 37 נוטה עוד קלים: נ״ל שיש להוסיף ׳אין׳ בראש הטור ור״ל: אין עוד מי שנוטה לו, למשיח יי, כנפים קלות להגיעו לעבים. ואולי: אין נוטה עוד אהלים קלים לו, ור״ל: מקדשים. 39 אהלי: תיבת הפתיחה אינה נדבקת יפה לטור שלאחריה. רוח וכו׳: כי״ט: אהלי רוח רפתה מאויביו. כי״מ: אהלי רוח אפינו נלכד בכאיביו, ונוסח זה נוח. 41 ומקים ששי: כיי״מ מוסיף: נמתה. ונראה נכון. ׳ומקים׳ כינויי לקב״ה. 42 בעוץ ובוז: באומות העולם (שמ׳ כב: כא). וכי״מ: בוז ועוץ. 43 יריעותי תם עונך: כלומר: כבר לקיתי על חטאי די, ואף על פי כן אינך גר אתי. כי״מ: ואותו בם לא גרתה. בכ״י ט בפנים מובא נוסח זה: ׳ומקים שישי מיגרתה / ומלכי בוז ועוץ אותו הסגרתה / יריעותי תם עונך ואיתי בם לא גרתה / וכסאי לארץ מיגרתה.׳ ובגליון: ׳נ״א: ומקים שישי נמתחה ואותו סיגרתה / ומלכי בוז ועוץ בידם היסגרתה / יריעותי תם עונך ואותם לא גרתה / וכסאי לארץ — — —.׳

[ה] מקורו בכ״י ט״ש H 14/1. 1 ער עד הייסוד: על פי תה׳ קלז: ז. ופיגיר: השמיד. 2 נחלתינו: כמו: אל נחלתינו. בא... שאון מעיר: על פי יש׳ סו: ו. והכל: מנוקד כך בכה״י. 3 שודד: כמו: שדד. נשתם וכו׳: ר״ל בארותינו נסתמו משנוכל לגמות מהן.

וַיִּגְדַּל / שְׁאוֹן קָמֶיךָ בְּתוֹךְ מוֹעֲדֶיךָ
נֵאַרְתָּה בְּרִית עֲבָדֶיךָ

מֵיתָרֵי זַכּוּ / בְּכֶבֶל לְאָוסְרוֹ
וַתִּתְּנוֹ בְּיָדָם להפסידו
חָשַׁךְ / וְקָדַר תָּוֳאָרוֹ וְלֹא שַׁעְתָּה לְעָוזְרוֹ
אֲבָל חִילַּלְתָּה לָאָרֶץ נִיזְרוֹ

נִיתְּקוּ טוֹבִים / בְּמוֹסְרוֹתָיו
וַיֵּרָפְאוּ בְחַבּוּרוֹתָיו
יְדֵי / עַמִּי רָפוּ בִּגְזֵירוֹתָיו
פָּרַצְתָּה כָּל גְּדֵירוֹתָיו

בָּנַי כִּילָּה / בְּחֶרֶב נְחוּתָה
כְּשַׁרְתִּי יַד אֱלוֹהַּ מְשִׁיחִי נחיתה
לֹא הֶאֱמִינוּ / כִּי בְּכָל זֹאת זָנַחְתָּה
שַׁמְתָּה מִבְצָרָיו מְחִיתָּה

יְצָאוּנִי מְחַטָּאת / [כּוֹרְעֵי לַזָּר] בֶּרֶךְ
וְהוּבָא בִּלְבָבִי מוֹרֶךְ]
[נָעוּ מִיָּם עַד יָם מְצוֹא] לְשִׁבְרֵי אֶרֶךְ
שַׁסּוּהוּ כָּל עוֹבְרֵי דָרֶךְ

וְאֵינָם סוֹרוּ / מִמִּזְבֵּחַ כֹּהֲנָיו
וּלְוִיִּים מְשָׁרְתֵי דוּכָנָיו
עוֹדֵינוּ / לָחוּץ בְּלַהַב סַכִּינָיו

ט: נתנו נבלת עבדיך נ״א בשר חסידיך. 11 **שאון קמיך**: כ״י מ: שאג צורריך. **בתוך**: כ״י ט: בקרב. 13 **מיתרי זכו**: כנראה: מקדשי טהור היה ועל כן, בהטמאו, היה הוא (׳משיחך׳) ראוי להיות נאסר בכבל. 14 **להפסידו**: משובש, כמוכח מן החרוז. ונוסח כ״י ט: להמסירו או להחסירו; כ״י מ: להבסירו, ונראה נכון. 15 **חשך וקדר תארו**: כי״ט: חשך תארו וקדר. **שעתה**: כי״ט: חשתה. 17 **ניתקו טובים במוסרותיו**: צדיקים נשתחררו מכוח שיעבודו. 18 **וירפאו בחבורותיו**: כי״מ: ולא נתרפאו חבורותיו. כי״ט: וירפאו עמי בחבורותיו. ושני הנוסחאות נראים יותר. 19 **עמי**: כי״ט: רבים. ולמעלה כתוב: עם. ור״ל: ידי עמי נתרפו משום הגזירות שנגזרו עליו. 21 **בני כילה**: הנושא: הקב״ה. **בחרב**: כי״ט: ביד. 22 **כשרתי**: כשראיתי. **נחיתה**: צ״ל ניחתה (תה׳ לח: ג), וכך הוא בכי״ט. בכי״מ: כשרתי כי משיח יי הוחתה; ולמעלה כתוב: כשרתי יד במשיחי ניחתה. 23 **בכל**: כי״ט: כל, ונראה יותר. 25 **יצאני**: הוסף: בני. **מחטאות**: ר״ל מפני חטאיהם של עובדי ע״ז. כה״י לקוי כאן והשלמתי על פי כי״ט. 26 **בלבבי**: כי״מ: בלבי. **והובא וכו׳**: על פי וי׳ כו: לו. 27 **נעו וכו׳**: על פי עמוס ח: יב. **ארך**: תרופה. 28 **שסוהו**: כי״מ: אשר שסוהו. 29 **ואינם**:

רַבְּתָה / קֶרֶן [נְבוּאָה] וּמַלְכוּת מִילְּהֵרָשֵׁים
לֹא נִשְׁמַע קוֹל כֹּהֵן גָּדוֹל אוֹמֵר אָנָּה הַשֵּׁם

עוֹד שָׁמַעְתָּה / תְּנוּאוֹת מְקוֹטֶרֶת
בְּלֹא חֶמְדָּה הֱיוֹת כְּרָמִים נוֹטֶרֶת
אָהֳלִי שְׂפָתַי / כַּחֲשִׁי נשללו מֶנִּי עֲטֶרֶת
וְלֹא הֵפִחָה יַעֲזֵר רֵיחַ הַקְּטוֹרֶת

וּמֵקִים יְרִיעוֹתַי תָּשִׁיב / לְאָורְחוֹ
כְּמֶלֶךְ בִּמְסִיבּוֹ נִרְדִּי נָתַן רֵיחוֹ
אַחַד עָשָׂר סַמִּים בַּהֲרִיחוֹ
יְשׁוֹבֵב לְקַדְמָתָן שִׁימוּעַ עֲשָׂרָה מִירִיחוֹ

[ד]

אָהֳלִי אֵיכָה / הוּמְאַס
בְּיַד נָבָל הַמּוּמְאָס
בְּנֵי / בַּיִת סִיבְּרוּ כִּי לֹא תִּמְאַס
וְאַתָּה זְנַחְתָּה וַתִּמְאָס

שׁוֹדַד גַּם / נֶחְמְסוּ שְׁבָחֶיךָ
כִּי כִּיזְּבוּ מַעְיְנוֹת שְׁלָחֶיךָ
דָּבַק / לָשׁוֹן לְחֵיךְ שְׁלוּחֶייךָ
הִתְעַבַּרְתָּה עִם מְשִׁיחֶךָ

וְכָל הָאוֹכְלִים / בָּר בְּלִי לְעוֹבְדֶיךָ
נָתְנוּ לְמַאֲכָל בְּשַׂר חֲסִידֶיךָ

אבל קרן נבואה נזכרת כבר לעיל ט׳ 27 ונ״ל שיש לתקן שם ׳קרן כהונה.׳ בטור שלנו תיקנו קצת נוסחאות ל׳כהונה׳. מלהירשם: מלהיות חשובים ורשומים לפניך. 41 **תנואות**: טרוניותיהם של ישראל. מקוטרת: כינוי לישראל על פי שה״ש א: ו. 43 **נשללו**: כל המקורות גורסים כאן ׳שללו,׳ ונראה נכון. 44 יעזר: כמו: עד יעזור. וכל המקורות משלימים כך. ועיין במבוא לשירים. 46 **כמלך במסיבו**: שה״ש א: יב. 47 **אחד עשר סמים**: כלומר את ריח הקטורת שהיו בו י״א סמים.

[ד] מקורות: כ״י קויפמן 76 (נוסח היסוד); כ״י ט״ש H 14/42 (= ט); כ״י מוצרי P 25 (= מ; קרוע ומטושטש). בסופי הסטרופות מובאים המקראות שבתהלים פט: לט—מג בשלמותם. הסטרופה האחרונה מסתיימת במובאה מתהלים שם: מה. בכתבי היד מובא אחרי כל סטרופה הריפרין: ׳רוח אפינו משיח יי.׳ 2 **המומאס**: המאוס. 3 **בני בית**: כינוי לישראל. 5 כל הסטרופה מחוקה בכ״י ט. שבחיך: בכה״י: שבחייך; ר״ל: נחמסו הדברים שנשתבחת בהם. 6 **מעינות שלחיך**: מלשון ׳המשלח מעינים בנחלים׳ (תה׳ קד: י). 7 **דבק וכו׳**: על פי איוב כט: י וכיו״ב. שילוחך: בכ״י מ: [...] נבא שלוחיך. ור״ל: נביאיך. 9 **וכל וכו׳**: שונאיהם של ישראל שנהנים מכל טוב בלי לעבדך. 10 **נתנו וכו׳**: על פי תה׳ עט: ב. ובכ״י

בָּנַי כִּי / אָב וְאֵם הֵיקַלּוּ כָּלִיל
וְאַיֵּיה קֶרֶן עוֹר בַּעֲדָם לְהַפְלִיל
לְדַכֵּא / בִּמְצוּלָה שָׁאַג וְהֵילִיל
וַיִּסָּכֵר קָנֶה וְקוֹל הֶחָלִיל

יְצָאוּנִי מִי / יֵלֵךְ אוֹתָם לְצָורְפָה
וְהִינָּם חֲלָלִים וְאֵן עָרוֹף עֲרוּפָה
נַחְפְּסָה / עַל מַה קֶרֶן נְבוּאָה חֲרוּפָה
כִּי פַּסּוּ אֶלֶף מִינֵי זֶמֶר מִקּוֹל הַמַּגְרֵיפָה

[וְאֵינָם] סַכּוֹתָה / עֶדְיָים לְנַצֵּל
כִּי בְנַאֲפוּף שָׁד שְׁאֵירָם פִּיצֵּל
עֵינִי / בְּקֶרֶן לְוִיָּה מא אציל
וְדָמַם מֵרָחוֹק שֶׁמַע קוֹל הַצִּילְצֵל

וְאֵין פַּחַד / וָחִיל כְּאוֹרוּ מֵרוֹז
וַיִּגָּנְבוּ שְׁלוֹשׁ מֵאוֹת נַעַר בְּעֵץ אֶחָד לַחֲרוֹז
צוֹד / צָדוּ קַרְנוֹת מִזְבֵּחַ בּוֹ חֲזִיר לִתְרוֹז
וּפַס מְדוּכָן קוֹל גַּבִּינֵי כָּרוֹז

נֹטֶה קָרָאתִי / וְחָרָה אַף לְהַאֲשֵׁם
וַיָּעִידוּ בִּי שֶׁקֶר בְּנֵי בְּלִי שֵׁם

והיופי, ורומז לתורה, וקרוב למדרש הנ״ל: קרנה של תורה שנאמר (חב׳ ג:ד) [ונגה כאור תהיה] קרנים מידו לו. ור״ל: ישראל יושבים בדד בלי תורה כי אין אפשרות לתקוע עוד בשופר בבית המקדש. 21 **אב ואם וכו׳**: כנגד ׳כבד את אביך.׳ 22 **קרן עור**: משה רבינו, ורומז לקרנו של משה, וכן במדרש הנ״ל: ׳קרנו של משה דכתיב כי קרן עור פניו׳ (שמ׳ לד:כט). **בעדם להפליל**: להתפלל בעדם. 23 **לדכא וכו׳**: הקב״ה שאג והיליל לדכא את ישראל במצולות. 24 **וקול**: כך צ״ל, ורוב הנוסחאות גורסים: קול. 25 **אותם**: כל המקורות גורסים כאן ׳אתם׳ ואולי הוא נכון. ר״ל: בני יצאו לגולה ומי ילך אתם לצרוף אותם מחטאיהם. 26 **והנם חללים**: רמז ל׳לא תרצח׳. **ואין ערוף ערופה**: ואין עגלה ערופה לכפר בעדם. 27 **חרופה**: כדאי שנראה על שום מה נחרפת קרנה של נבואה. **נבואה**: כך בכל המקורות, אבל לפי הסדר צ״ל כאן קרן כהונה. ועיין להלן ט׳ 39. 28 **אלף מיני זמר**: כך הוא בעירובין י ב: מגריפה היתה במקדש וכו׳ נמצאת כולה מוציאה אלף מיני זמר. 20 **ואינם**: הוסף: בני יצאוני ואינם. **עדיים לנצל**: על פי שמ׳ לג:ו. 30 **בנאפוף שד**: עיין הושע ב:ד. ור״ל בגלל נאפוף שד. ורומז ל׳לא תנאף.׳ **שאירם**: בשרם. 31 **מא אציל**: המקורות גורסים כאן: מהאצל, ר״ל: על שום שאין היא נאצלת עלי עוד. 33 **כאורו מרוז**: על פי שו׳ ה:כג. ר״ל כמו בימי דבורה וברק. 34 **ויגנבו וכו׳**: רומז ל׳לא תגנוב.׳ **שלש מאות נער**: על פי איכ״ר ה:יד: שלש מאות תינוקות נמצאו חרוזים בשבכה אחת. 35 **קרנות מזבח**: מכוון לקרן של בית המקדש. **בו חזיר לתרוז**: לתקוע תריז בין המזבח לבין הקב״ה על ידי שהעלו בו חזיר. והוא מכוון לנאמר במנחות סד ב: שלשלו להן דינרין בקופה והעלו להן חזיר, כיון שהגיע לחצי החומה נעץ צפרניו בחומה וכו׳. 37 **נוטה קראתי**: קראתי לקב״ה שהוא נוטה אהלי. 38 **ויעידו בי וכו׳**: כנגד ׳לא תענה.׳ 39 **נבואה**: חסר בכה״י, והשלמתי על פי רוב המקורות;

שֹׁודֵד גָּדֵר / צֹאן בְּאֶפֶס חָצִיר
בְּבוֹגְדֵי בְּאָנֹכִי שׁוֹלַח אֵשׁ בְּקָצִיר
דּוֹב / שַׁכּוּל בְּקֶרֶן בֶּן שֶׁמֶן וְיַעַר הַבָּצִיר
נֶאֱלַם מְפַתֵּחַ קוֹל הַצִּיר

וְכָל הֵבִיא / פֶּתַע וּבוֹעֲרִים הִפְשִׁיר
וּכְצָג אֱלִיל בְּאֱוִי לְשֵׁישַׁךְ הִיתְשִׁיר
וַיְּגָרֵס / סִיבּוּךְ קֶרֶן כְּנֶגַע דַּל וְעָשִׁיר
וְדָמַם מֵרָחוֹק שֶׁמַע קוֹל הַשִּׁיר

מֵיתָרֵי זֹאת / פִּסְקָה [מחצרת]
בְּמַשְּׂאוֹת שָׁוְא אֲשֶׁר הָיְתָה [פּוֹ]צֶרֶת
חַסְדֵי / קַרְנֵי רְאֵים לוֹ הָיְתָה נוֹצֶרֶת
[הָיָה] לָהּ לְהַשְׁמִיעַ כְּמֵאָז קוֹל חֲצוֹצֶרֶת

נִיתְּקוּ טוֹב / בָּרַע עוֹנֶג כְּהוּפַּר
כְּחוֹלַל בְּהָזֵד בְּלִי הֱיוֹת מוֹשְׁפַּר
יֵשֵׁב בָּדָד / מקרשת שְׁפָר
כִּי אֵין לְיַבֵּב תֶּקַע קוֹל שׁוֹפָר

על פי יש׳ ט:ו. 5 שודד: יש להוסיף: אהלי שודד. ואולי יש לנקד ׳גדר׳ בגימ׳ל ודל׳ת סגולות. באפס חציר: בלי מזון. 6 באנכי: הדיבור הראשון. 7 דוב שכול: יש להוסיף: היה הקב״ה. אך שאר המקורות גורסים שכל כפעל בלשון עבר, ואולי הוא נכון יותר. קרן בן שמן ויער הבציר: כינויים לבית המקדש על פי יש׳ ה:א וזכ׳ יא:ב. ו׳קרן בן שמן׳ רומז גם לקרנו של אברהם על פי המדרש הנ״ל, שם, בהמשך: ׳קרנו של אברהם שנאמר כרם היה לידידי בקרן בן שמן׳ (ידיד=אברהם). 8 נאלם מפתיח קול הציר: מקביל ל׳קול השער הגדול שנפתח׳ הנזכר במשנה. 9 וכל הביא פתע: את כל הפורעניות הביא פתע על ישראל. ובוערים הפשיר: נ״ל לפרש: אף על פי שקודם לכן המתין הרבה לישראל שמא יעשו תשובה. וסומך על הדרשה בוי״ר כו:ח ובמקבילות: ׳אמר לו (יחזקאל למלאך) וכו׳ תן לי שתי גחלים משלך וכו׳ אמר ר׳ פינחס: הפשירן ונתנן לו. אמר ר׳ יהושע דסיכנין בשם ר׳ לוי: שש שנים היו אותן גחלים עוממות בידו של גבריאל סבור שישראל עושין תשובה וכו׳. 10 וכצג: כשהכניסו ישראל. באוי: בבית המקדש. לשישך: לבבל (יר׳ כה:כו, נא:מא). היתשיר: הגלה, נתנם במתנה. ורוב הנוסחאות גורסים כאן: ׳השיר׳. 11 ויגרס סיבוך קרן: נ״ל: זנח, כילה, זכות עקדת יצחק (׳סיבוך קרן׳ על פי בר׳ כב:יג). וכל הנוסחאות גורסים כאן ׳סיכוך,׳ ולפי זה הכוונה: זנח הקב״ה את ההגנה (׳סיכוך׳) על קרן ישראל. ואין הגירסה נראית לפי שכאן רומז הפייטן לקרנו של יצחק על פי הדרשה הנ״ל. כנע וכו׳: כשגלו ישראל מעל אדמתם. 13 [מחצרת]: חסר בכה״י וכך הוא בכל המקורות ואיני יודע לפרש. ואולי הוא צורה נקבית של ׳חצר׳ לשם החרוז, ור״ל: כנסת ישראל (׳זאת׳) ניתקה (׳פסקה׳, רוב המקורות גורסים ׳פיסקה׳) מיתריי מחצרה. 14 במשאות שוא: כנגד ׳לא תשא.׳ 15 חסדי קרני ראם: רומז לקרנו של יוסף, וכך מובא גם במדרש הנ״ל: קרנו של יוסף שנאמר (דב׳ לג:יז): וקרני ראם לו. 16 היה לה להשמיע: נ״ל כמו: היתה זוכה לשמוע. 17 ניתקו טוב ברע: הוחלף הטוב ברע. עונג: רומז ל׳זכור את יום השבת׳. עונג כהופר: כשחיללו את השבת. 18 כחולל בהזד וכו׳: על שחיללוה במיזיד, בלי לדאוג ליפויה. 19 מקרשת: שיבוש, וכל המקורות גורסים ׳מקרינת.׳ מקרינת שפר: מקרני ההוד

צָעַק / כָּל לֵב עַל מְגִילַּת מוּסָרִי
כְּנִישְׂרְפָה בְּכִסְלֵיו בַּיּוֹם הָעֲשִׂירִי

עוֹד אָהֳלִי קוּמִי / גְּלִי לְבַל יְוּמְסַר
כִּי בֵּל סָמַךְ עִיר בָּעֲשִׂירִי וְלֹא סָר
רְאֵה / כִּי חֵטְא גִּבְעָה בִּי גּוֹלְגַּל וְנֶאֱסַר
וַיְּשׁוּלַּם לִי חֵט אַחַד עָשָׂר

וּמֵקִים יְרִיעוֹתַי שָׁכְבוּ / בְּקוֹץ וְדַרְדָּר
כְּגָזְרוּ שְׁמוֹנָה עָשָׂר דָּבָר זִיקְנֵי הָדָר
תִּיקְרָא / וּמַעֲזֵיבָה עָרוּ מֵחֲדַר
כִּי לוּלְיָנוּס וּפַפּוּס נֶהֶרְגוּ בַּאֲדָר

[אֵלֶּה לוֹ בָּאָנוּ וְשָׁכְכָה חֵימָה
עַד נוֹסַף עֲלֵיהֶם כָּהֵמָּה וְכָהֵמָּה
זָכַרְתִּי מִשְׁפָּטֶיךָ מֵעוֹלָם וָאֶתְנַחֲמָה
רוֹאָה וְהוֹמָה עַד קֵץ נֶחָמָה]

[ג]

אָהֳלִי אֲנִי / עָבַטְתִּי בְּדִיבּוּר [סָרָה]
[וְגֻוֹדְדוּ] יְרִיעוֹת עֶשֶׂר בְּמָאֲסִי עֲשָׂרָה
בִּילָּה / שִׁימַע קְרָנוֹת עֶשֶׂר לְמַרְבֶּה הַמִּשְׂרָה
וְדָמְמוּ מִירִיחוֹ קוֹלוֹת עֲשָׂרָה

ר״ל במרחשוון. השווה מל״ב כה : ז. 35 על מגילת מוסרי : רומז לצום שריפת המגילה שכתב ברוך בן נריה מפי ירמיה. 37 גילי לבל יומסר : שלא יופר עוד ששוני. ורוב הנוסחאות גורסים : ׳גולי לבל׳ (בי״ת צרויה). 38 בל : כינוי לבבל. בעשירי : בי׳ בטבת. 39 חטא גבעה : רומז לצום בני בנימין שהיה בחודש האחד עשר, ר״ל בשבט. 42 כגזרו וכו׳ : רומז לצום הלל ושמאי שהיה באדר. 43 תיקרא ומעזיבה : השווה משנה סוכה א : ז ועוד. מחדר : צורת הסמיכות לצורך החרוז. המחרוזת האחרונה הושלמה על פי כ״י מוצרי P 681.

[ג] מקורות ושינויי נוסח עיין בסוף המאמר. הפיוט מיוסד על עשרת הדיברות ועל הדרשה באיכ״ר ב:ג: עשר קרנות הן: קרנו של אברהם, קרנו של יצחק, קרנו של יוסף, קרנו של משה, קרנה של תורה, קרנה של כהונה, קרנה של לויה, קרנה של נבואה, קרנו של בית המקדש, קרנו של ישראל. אבל בפיוט מובאים הדברים בסדר שונה. בכל טור ד׳ מזכיר הפייטן קול מן הקולות שהיו נשמעים עד יריחו לפי המשנה תמיד ג:ח. ועיין במבוא לשירים. 1 עבטתי : מישכנתי. ר״ל : נלקח ממני. בדיבור [סרה] : על שום שדיברתי סרה בקב״ה. [סרה] : המלה חסרה בכה״י המשמש יסוד למהדורה זו, והשלמתי לפי כל המקורות האחרים. 2 [וגודדו] : כנ״ל. יריעות עשר : כינוי לבית המקדש על פי שמ׳ כו : א, לו : ח. במאסי עשרה : בעברי על עשרת הדיברות. 3 שימע : חסר בכל המקורות ונראה מיותר. ר״ל : הקב״ה גילה עשר קרנות ר״ל הגלה אותן. למרבה המשרה : נראה כינוי לקב״ה

מֵתָרֵי זָנַח / בְּיַד גִּילּוּל רִשְׁעָה
כְּגָלָה כָבוֹד וְכֹהֵן שַׁוְעָה
חָשַׁב / כרואה לְקֵץ הַשָּׁעָה
לְאָסְפוֹ בַּשְּׁלִישִׁי בְּעֶשְׂרִים וְתִשְׁעָה

נִיתְּקוּ טָבְעוּ / בלוחות מוּסָר
שֵׁשׁ צָרוֹת בְּקִיצָם נִימְסָר
יָשְׁבוּ / לָאָרֶץ כָּל נָגִיד וָשָׂר
עַל שֶׁאֵרְעִי בָּרְבִיעִי בְּשִׁבְעָה עָשָׂר

בָּנַי כָּלוּ / מִיְשִׁיבַת בשאב
עוֹלָלִים וְיוֹנְקִים מִשְּׂשׂוֹן בֵּית שָׁאָב
לְאִמּוֹתָם / יִשְׁאֲלוּ אִם יֵשׁ אָב
עַל מֶה עָשָׂה כָּכָה בְּתִשְׁעָה בְּאָב

יְצָאוּנִי מָה / הוֹעִילוּ לַחֲשׁוֹק גִּילּוּל
פָּץ צִיר לַפּוֹתָה כְּנִיתְּנָה לְחִילּוּל
נְבִיאַיִךְ / חִילְּלוּ יְקָרֵךְ לְזִילּוּל
כנחדו שְׁנַיִם בַּחֲמִשָּׁה בֶּאֱלוּל

וְאֵנָם סָפְקוּ / כַּף אֶל כַּף בְּבֵית קוֹדֶשׁ
כְּנֶהֱרַג כֹּהֵן וְנָבִיא בְּכִיפּוּר קֹדֶשׁ
עָשָׂה / כְּזָמַם וְגִימֵּשׁ שְׂאַת גֹּדֶשׁ
עַל פִּיד שְׁבִיעִי בִּשְׁלֹשָׁה לַחֹדֶשׁ

אֵן נוֹטֶה פָּצוּ / כָּל בְּנֵי שָׂרִי
כְּנִשְׁחֲטוּ בְּרִבְלָה בַּשְּׁמִינִי בְּסוֹרְרִי

זרה של ממלכה רשעה. 14 שוועה: כל הנוסחאות גורסים: שעה, וקשה להלום. ולפי גירסתנו הוא כמו: הכהן הממונה על התפילה. ואפשר שרומז כאן גם לצום עלי שהיה בי״ח בסיון לפי מנהג בני ארץ ישראל. 15 חשב: הקב״ה. כראה: כל הנוסחאות גורסים ׳ברואה׳ כלומר בשמואל. לקץ השעה: בבוא קץ עתותיו. 16 בלוחות: כל המקורות גורסים ׳לוחות׳ והכוונה לארון הברית שנגנז. 18 שש צרות: איוב ה: יט. בקיצם: עם גניזתם. 20 ברביעי וכו׳: בשבעה עשר בתמוז. 21 בשאב: נראה משובש. ורוב המקורות אינם מתקנים כלום. נ״ל שצ״ל: מישיבת משאב, ור״ל מישיבה של תורה, ו׳משאב׳ כינוי לתורה המשולה למים (בבא קמא יז א). 22 משׂשון בית שאב: משמחת בית השאבה, ר״ל מבית המקדש. 25 יצאוני: יש להוסיף: בני יצאוני. גילול: עבודה זרה. 26 ציר: הנביא. לפותה: לכנסת ישראל. 28 כנחדו: יש לגרוס יחד עם כל הנוסחאות: ׳כנכחדו.׳ שנים: ר׳ שמעון בן גמליאל ור׳ ישמעאל. 30 כהן ונביא: על פי איכה ב: כ. 31 גימש: הגדיש. 32 על פיד וכו׳: רומז לצום גדליה. 34 כל בני שרי: רמז לבני צדקיה שנשחטו ברבלה בחודש השמיני,

רְאֵה / רֶגֶשׁ אוֹזֶן בְּהֵרָאוֹת דִּינָךְ
נִיצָּב עַל חוֹמַת אֲנָךְ וּבְיָדוֹ אֲנָךְ

[אָהֳלִי שָׁמְעוּ / שֶׁנֶּעְתַּק [אֲשֶׁ]ר בּוֹ בָּחַר
[. . .] בְּכוֹר שׁוֹר כִּי רַב [. .] הר
תָּבֹא / תָּשִׁיב כָּבוֹד אֲשֶׁר דָּהַר
וַיַּעֲמֹד עַל הָהָר]

וּמֵקִים יְרִיעוֹתַי תָּר מַסָּע אַחַר מַסָּע מִמַּעֲלָתִי
וַתִּזְעַם יְדִיד וִידִידוּת בֵּית תְּהִלָּתִי
וְתַקֵּף אֶבְלִי בְּעֵת נָם לִקְהִלָּתִי
עָזַבְתִּי אֶת בֵּיתִי נָטַשְׁתִּי אֶת נַחֲלָתִי

[ב]

אָהֳלִי אֵיכָה / גִּילוּ קְדֵישִׁים
כְּנֶעְתַּק צוּר וְנָטַשׁ קְדוֹשִׁים
בִּילַּע / בְּשֶׁבִי צֹאן קָדָשִׁים
וַיְאַפְּפֵם רָעוֹת בְּכָל חֳדָשִׁים

שׁוֹדֵד גִּדַּע / צֹאן נִימֵי עָשׂוֹר
צוֹמוֹת וְתַעֲנִיּוֹת מִדּוֹר לְדוֹר לִימְסוֹר
דָּרַךְ / מֵאָז בסין נְבִיאָה לֶאֱסוֹר
בַּחוֹדֶשׁ הָרִאשׁוֹן בֶּעָשׂוֹר

וְכָל הָיָה / חָת מִשְׁפַּת שָׁנִי
בִּהְיוֹת בִּן נוּן מַנְהִיג שְׁאוֹנִי
וַיַּחְמוֹס / יָמָיו וּבוֹ אִישׁוֹנִי
בִּשְׁמֹנָה עָשָׂר בַּשֵּׁנִי

אזניים (יר׳ יט:ג ועוד). 40 ניצב וכו׳ : עמוס ז:ז:. 45 ומקים יריעותי : כינוי לקב״ה. 46 ידיד : רומז לבנימין (דב׳ לג:יב). 48 עזבתי וכו׳ : יר׳ יב : ז.

[ב] מקורות ושינויי נוסח עיין בסוף המאמר. 1 גילו : נ״ל כמו : הגלו. קדישים : אומות העולם׳ 2 כנעתק צור : כשהרחיק עצמו הקב״ה. 5 נימי עשור : מיתרי בית המקדש (על פי שמ׳ כו:א ועוד). ורוב הנוסחאות אינם גורסים ׳צאן׳. 7 בסין : צ״ל בצין, מקום פטירת מרים. נביאה : מרים. לאסור : כינוי למוות. 8 בחודש וכו׳ : רומז לצום מרים בעשירי בניסן. 9 וכל היה : כל היקום, או כל אומות העולם. חת : פחדו. משפת שני : מישראל. 10 בן נון : בכה״י בשיבוש : בינון. שאוני : המוני. 11 ובו : יחד עם יהושע. אישוני : אור עיני. 12 בשמנה עשר בשני : צום יהושע. 13 מיתרי : את בית המקדש. גילול רשעה : עבודה

וְטוֹלְטַל יוֹדֵעַ בִּינָה בְּרוֹב זְדוֹנַי
יָדוֹ / יָרָה אוֹר בְּצֵאתוֹ מִמְּעוֹנַי
וְהֶחָצֵר מָלְאָה אֶת נֹגַהּ כְּבוֹד יְיָ

בָּנַי כָּל / כַּעַס כָּעֲסוּ בְּמוֹאָבִי וְעַמּוֹנִי
וְכָשַׁל יוֹשֵׁב לְחוֹף וְגָבַר מוֹנִי
לֹא / לְטוֹב הָיָה בְּצֵאת אֵל מֵאַרְמוֹנִי
וַיַּעֲמוֹד פֶּתַח שַׁעַר יְיָ הַקַּדְמוֹנִי

יְצָאוּנִי מִמָּרוֹם / מְוּגַּר בְּיַד זוֹבֵחַ
וּמָעַד מְזַנֵּק וְנוֹשֵׁךְ לְהִטָּבֵחַ
נִשְׁקַד / מנעול כִּנְאוּם חוֹזֶה צִוֵּחַ
רָאִיתִי אֶת יְיָ יוֹשֵׁב עַל הַמִּזְבֵּחַ

וְאֵינָם סִלָּה / שָׂרִים אֶלֶף לְהִתְמוֹגֵג
וְסוּגַּר שְׁבַע רָצוֹן כְּסִיגּוּר אֲגַג
עַל / עוֹצֶם עָוֹן עָלָה בַּהֲגָג
טוֹב לָשֶׁבֶת עַל פִּינַּת גַּג

אֵין נוֹטֶה פֵּרְשָׂה / פָּצָה פּוֹדֶה כְּהִגְעִיר
וּפוֹרְפַּר טוֹרֵף זְרוֹעַ וְגָעוּ רַב וְצָעִיר
צַדִּיק / צָרַח קוֹל יְיָ לָעִיר
וַיַּעַל כְּבוֹד יְיָ מֵעַל תּוֹךְ הָעִיר

עוֹד קְרָאתִי / קוֹל קֶשֶׁר בִּמְעוֹנָךְ
וְקוֹלֵעַ רְצוּי אַחִים מִמִּשְׁמַן מַעֲדַנָּךְ

לחובה. 18 יודע בינה: רומז לשבט יששכר (דהי״א יב:לג). 19 אור: אש. 20 והחצר וכו׳: יח׳ י:ד. 22 יושב לחוף: רומז לשבט זבולון (בר׳ מט:יג). 24 ויעמוד וכו׳: יח׳ י:יט. ובמקרא: שער בית יי. 25 יצאוני: יש להוסיף: בני יצאוני. מוגר ביד זובח: הכהן (׳זובח׳) מוגר ביד יי שירדה עליו ממרום. וקשה לפרש ׳זובח׳ — האויב. 26 מזנק ונושך: שבט דן (דב׳ לג:כב, בר׳ מט:יז). 27 מנעול: משובש, כמוכח מן הא״ב; ואין בידי להלום. 28 ראיתי וכו׳: עמ׳ ט:א. ובמקרא: נצב על המזבח. 29 שרים אלף: רומז לשבט נפתלי (דהי״א יב:לה). 30 שבע רצון: רומז לשבט נפתלי כנ״ל (בר׳ מט:כ). כסיגור אגג: כמו שהוסגר אגג מלך עמלק להרג בידי שמואל (ש״א טו:לג). 31 עלה: אולי צ״ל: ענה. בהגג: כמו בהגיג. 32 טוב לשבת: מש׳ כא:ט. 33 פרשה: מקרא קצר במקום: פרשה ידיה; והנושא: כנסת ישראל. ר״ל: ׳אין נוטה,׳ כך פרשה בידיה ואמרה (׳פצה׳) ציון, כאשר גער בה הקב״ה (׳פודה׳). 34 טורף זרוע: שבט גד (דב׳ לג:כ). וגעו: בבכייה. 36 ויעל: יח׳ יא:כג. 37 קשר: בגידה. 38 רצוי אחים: שבט אשר (דב׳ לג:כד). 39 רגש אזן: נ״ל כמו צלילת

והנה הפיוטים כסדרם:

[א]

אָהֳלִי אֵיכָה / אָפַל אֱלִיל בּוֹ בַּהֲשִׁימִי
וְאוּמְלַל רֵאשִׁית אוֹן וְאֵירַרְתִּי יוֹמִי
בָּכֹה / בִּקְרָאוּתִי זֹאת לְשׁוֹמְמִי
אֵלֵךְ וְאָשׁוּבָה אֶל מְקוֹמִי

שׁוּדַּד גָּלְתָה / גָּלֹה שְׁכִינָה לָעוּף
וְגוּדַּע מְעַקֵּר שׁוֹר כְּמִקֵּן עוּף
דַּרְכֵּי / דְּבִיר אָבְלוּ בְּהַדְאוֹתוֹ לְמָעוּף
וַיִּרְכַּב עַל כְּרוּב וַיָּעוּף

וְכָל הָיוּ / הוֹתִיר בְּנָסְעוֹ מִבַּיִת
וְהוּמַּם כֹּהֵן וְלֵוִי כְּנִיתַּן לְשַׁיִת
וַיֵּצֵא / וַיַּעַל כָּבוֹד מִתּוֹךְ בַּיִת
מֵעַל הַכְּרוּב עַל מִפְתַּן הַבָּיִת

מֵיתָרַי זָכְרָה / זְעוּמָה בְּזָנְחוֹ קְרוֹבִים
וְזוּלְעַף מֶלֶךְ וָשַׂר בִּידֵי אוֹיְבִים
חֵטְא / חָטְאָה וְנַעֲלָה מִמִּפְתַּן אֲהָבִים
וַיַּעֲמוֹד עַל הַכְּרוּבִים

נִיתְּקוּ טֻמְאָתָהּ / טָפְלוּ וַיֵּשֶׁב בְּדִינַי

[א] הערות לפיוט 'אהלי איכה אפל.' מקורות: כ"י ט"ש H 14/15. הפיוט מיוסד על הדרשה המובאת בפסיקתא דר"כ דף קיד, ב ובמקבילות (עיין לעיל, בפנים) על עשרת המסעות שנסעה השכינה עד הסתלקותה מבית המקדש וזה לשון המדרש: 'עשר מסעות נסעה שכינה, מכרוב לכרוב, ומכרוב למפתן הבית וממפתן הבית לכרובים ומכרובים לשער הקדמוני ומשער הקדמוני לחצר ומחצר למזבח וממזבח לגג ומגג לחומה ומחומה לעיר ומעיר להר הזיתים.' מלבד זאת מזכיר הפייטן בכל סטרופה שבט משבטי ישראל. מטור 28 ואילך בא הפיוט גם בכ"י המוזיאון הבריטי Or. 5557 P דף 36. על פי כ"י זה הושלמו הטורים 41–44.

ביאור: 2 **ראשית און**: רומז לשבט ראובן (בר' מט:ג). 3 **בקראותי זאת**: כשקרתה אותי זאת. 4 **אלך ואשובה**: עמוס ה:יד, והו' מיותרת. המקרא מובא גם באגדה הנ"ל. 5 **שודד**: יש להוסיף: אהלי שודד, ועל כן השכינה גלתה להתעופף ממני. 6 **מעקר שור**: רומז לשמעון (בר' מט: ז). 7 **בהדאותו**: לשון דאייה ופריחה. והכוונה לקב"ה הנזכר בפסוק שבסוף המחרוזת, ולפיכך הוא בלשון זכר. 8 **וירכב וכו'**: ש"ב כב: יא. 9 **וכל היו**: כל מה שהיה אתו, ר"ל: את ישראל. 10 **ולוי**: רומז לשבט לוי. **כניתן לשית**: הוסף: 'הבית.' 12 **מעל הכרוב וכו'**: יח' י:ד. 13 **מיתרי וכו'**: את אהלי זכרה כנסת ישראל הזעומה (כל' שהקב"ה זעם עליה) כשזנח הקב"ה את עמו הקרובים. 14 **מלך ושר**: רומז לשבט יהודה. 15 **חטאה**: כנסת ישראל. **ונעלה**: הקב"ה. 16 **ויעמוד וכו'**: יח' י:יח. 17 **ניתקו**: יש להוסיף: מיתרי ניתקו. **טומאתה טפלו**: ר"ל חטאה כנסת ישראל. **וישב בדיני**: הקב"ה דן אותה

3. חצוצרת; 4. שופר; 5. קנה;[40] 6. חליל; 7. המגריפה; 8. הצלצל; 9. גביני כרוז; 10. כהן גדול האומר אנה השם. על צד האמת נזכרים ברשימת הפייטן רק שמונה קולות מן התשעה הנזכרים במשנה, לפי שהוא משמיט את ׳העץ שעשה בן קטין מוכני לכיור,׳ וכנגד זה הוא מוסיף שני קולות שאינם במשנה והם קול החצוצרת וקול הקנה. הקולות מובאים על ידי הפייטן גם בסדר שאינו דומה לשום גירסה מגירסות המשנה שבידינו. התופעה ראויה, לדעתי, לציון מובלט, לפי שאין היא דומה לזו העולה לפנינו מפיוטים לא מעטים שבהם נראים פייטנים קדומים ומאוחרים מטפלים לעתים בצורה חופשית מאוד במקורות שבאגדה, שהרי כאן מתפייטת משנה; השינויים הבולטים בין המקורות שבידינו לבין הנאמר בפיוט בדין שיעוררו את ההשערה שהפייטן עבד לפי נוסח שונה (אולי ארץ ישראלי) של המשנה. תלותו של הפייטן בנוסח המשנה מוכחת מהזכרת ריח פיטום הקטורת בסוף הפיוט, שהרי לכאורה אין זה עניין לנושא הפיוט ואלמלא מצאו הפייטן במשנה לא היה מזכירו. פרט מעניין בפיסקה הזאת היא גם הזכרת ׳יעזר׳ במקום ׳בית מכוור׳ (או כיו״ב) שבמשנה. ׳מכוור׳ או ׳מכבר׳ היא מקבילתה של ׳יעזר׳ לפי תרגום יונתן ותרגום ירושלמי בבמדבר ל״ב: א׳, ג׳: ל״ה. תלותו של הקלירי בתרגומים הארץ ישראליים ראויה אף היא לציון.[41]

4. הפשוטה שבין קינות הסדרה היא הרביעית שתחילתה ׳אהלי איכה הומאס׳. מלבד ענייני המבנה הקבועים בכל פיוטי הסדרה ניתן לציין בה דבר אחד בלבד והוא שהפייטן בנאה על עיבודם של מקראות רצופים מתהלים פ״ט: ל״ט—מ״ג, מ״ה (בהשמטת פסוק מ״ד). את לשונם המלא של המקראות מביא הפייטן כסיומות לסטרופות. יש לציין שדרך זו בבניינם של פיוטים אינה שכיחה עדיין אצל הקלירי. היא נעשית נפוצה, ואף נפוצה מאוד, בפייטנות המזרחית המאוחרת.

5. מופלא בתבניתו הפיוט האחרון בסדרה, והוא שונה משאר הקינות תכלית שינוי. מבין כל הטכסטים שלפנינו נראית בעלותו של הקלירי מוטלת בספק רק בקטע זה. לפנינו פיוט בלתי מחורז, ודבר זה לא מצאנוהו כמדומה מעולם בפיוטיו הודאיים של הקלירי. מלבד פסוקי המסגרת קישט המחבר את הפיוט גם באקרוסטיכון אלפביתי (לפי שפרק ה׳ של מגילת איכה אינו אלפביתי) וגם בשרשור שחובק את כל טוריו. לשון הפיוט כבדה ונוקשה ואולי יש בו סימני קדמות מופלגים אפילו מעבר לתקופתו של הקלירי. כתב היד המביא את הפיוט אמנם מלא קטעים קליריים; הוא קדום מאוד והטכסט מנוקד בו פה ושם בניקודם העתיק של בני ארץ ישראל.

40 הנוסחאות המאוחרים טשטשו את יחודו של ה׳קנה׳ ועשאוהו סניף ל׳חליל׳ שלאחר מיכן על ידי השמטת ו׳ החיבור, אבל גירסת הגניזה עיקר, כמובן, שהרי הקולות נמצאים חסרים בלעדי זאת, וגם אי אפשר לצרף את ר י ח פיטום הקטורת למניינם.

41 על תלות דומה בין ינייי לבין התרגום הירושלמי העמיד מ׳ זולאי בספרו *Zur Liturgie der babylonischen Juden* שטוטגארט 1933 עמ׳ 64 ואילך.

גירסאות בחמשה בו;[35] רוב הנוסחאות אינם גורסים בו תאריך. בירוש׳ תענית פ״ה הי״ג, סו ע״א נאמר שר׳ יעקב בר אחא ׳בטל יום טיריון יום שנהרגו לוליינוס ופיפוס׳ (גם בירושלמי מקויים התאריך של י״ב באדר), אבל לא נאמר, עד כמה שידוע לי, בשום מקום, שנקבעה תענית ליום זה במקום החג, ולפי שעה פיוטנו הוא המקור היחיד המעיד על כך.[36]

בין כך ובין כך יש בהתאמה המלאה־כמעט בין המסורת המיוצגת בפיוטנו לבין זו העולה לפנינו מפיוטי ר׳ פינחס כדי לאשש את קדמותה של המסורת הזאת ואת מקורה הארץ ישראלי. לפי זה נראה שגם בתאריכי תעניות היו הבדלים ניכרים בין מנהגם של בני בבל לבין מנהגם של בני ארץ ישראל.[37]

3. הפיוט ׳אהלי אני עבטתי׳ מעבד כמה נושאים, ואף הוא מופלא מכמה בחינות. שלושה עניינים נזכרים בקינה זו בכל מחרוזת ומחרוזת: בכל טור ב מזכיר הפייטן אחד מעשרת הדברות; בכל טור ג קרן אחת מתוך עשר הקרנות הנזכרות באגדה, ובכל טור ד קול מן הקולות שהיו נשמעים מירושלים ועד יריחו בזמן שבית המקדש היה קיים. עניין עשר הקרנות נזכר באיכה רבה ב: ג ובכמה מקבילות,[38] אבל מחברנו מביא את הקרנות בסדר שונה מן המצוי בספרים שלפנינו. מופלא יותר הוא עניין הקולות, שהוא לכאורה נושאהו העיקרי של הפיוט. אין ספק שהפייטן מפייט בקינה זו את המשנה בתמיד ג: ח שזה לשונה: ׳מיריחו היו שומעין קול שער הגדול שנפתח, מיריחו היו שומעין קול המגריפה וכו׳ קול העץ שעשה בן קטין מוכני לכיור וכו׳ קול גביני כרוז וכו׳ קול החליל וכו׳ קול הצלצל וכו׳ קול השיר וכו׳ קול השופר ויש אומרים אף קול של כהן גדול שהיה מזכיר את השם ביום הכיפורים. מיריחו היו מריחים ריח פיטום הקטורת. א״ר אליעזר בן דגלאי: עזים היו לבית אבא בהר מכוור והיו מתעטשות מריח פיטום הקטורת.׳ והנה מספר הקולות במשנה תשעה. ואף על פי שמצאנו בעניין זה במשנה כמה גירסאות,[39] אף אחת אינה משלימה את המספר לעשרה. ואולם הפייטן מכריז בטור 4 של פיוטו בפירוש ׳ודממו מיריחו קולות עשרה׳ ובאמת הוא מונה עשרה קולות והם: 1. הציר (= השער הגדול); 2. השיר;

35 תאריך זה שהיה, אגב, גם בגירסה שלפיה רשם את הפיוט צונץ, מופלא הוא, לפי שהוא מסבך את תאריך צום הלל ושמאי. כפי שצויין לעיל נזכר צום זה לפי המקורות שלנו בט׳ באדר, ואילו אצל ר׳ פינחס בד׳ בו. והנה אם בימי פייטננו חל צום יוליאנוס ופפוס בה׳ באדר אי אפשר שצום הלל ושמאי חל בט׳ בו שהרי הוא נזכר לפני צום יוליאנוס ופפוס, ואי אפשר שחל בד׳ בו כי אין להעלות על הדעת שתי תעניות רצופות. לפי זה צריך להקדים את צום הלל ושמאי לג׳ או לב׳ באדר.

36 מופלא הדבר שפיוטנו שמזכיר שני צומות באדר ומזכיר צום פטירת יהושע — אינו מזכיר את יום ז׳ באדר, יום פטירת משה רבינו. צום זה נזכר, כמובן, גם בספרים שלנו וגם בפיוטי ר׳ פינחס.

37 על מקורה של רשימת התעניות בספרים שלנו אין לנו ידיעות מבוררות. מ׳ מרגליות במאמרו ׳מועדים וצומות בארץ ישראל ובבבל בתקופת הגאונים,׳ ארשת (תש״ד), עמ׳ רטו ואילך מניח שמקור הצומות בארץ ישראל ואין זה מן הנמנע, ברם אין ספק בהתאריכים הנקובים בספרים שלנו אינם מייצגים את מסורתם של בני ארץ ישראל.

38 השווה גם מדרש שמואל ד:ג והסדר שם שונה. במדרש תהלים עה, י מובא הסדר של איכ״ר ואילו בילקוט שמואל רמז פא — הסדר של מדרש שמואל. שני הסדרים שונים מן המצוי לפנינו בפיוט. ועיין לעיל, הערה 25. המדרש מתפייט גם בסליחת ט״ב של סעדיה גאון ׳איכה רחובות עיר׳ (סידור רס״ג עמ׳ שכו) ואף שם הסדר שונה.

39 עיין A. Brody, *Der Mišna Traktat Tamid* (Upsala, 1936), pp. 35 ff. חלק מן הקו־לות נזכרים גם במקבילות כגון ירוש׳ סוכה פ״ה ה״ג, סה ע״ב, בבלי זבחים נא א, יומא לט ב.

בני צדקיה ברבלה; (9) י' בכסלו יום שריפה המגילה; (10) עשרה בטבת; (11) ? שבט, צום בני בנימין; (12) ? אדר, צום שמונה עשר דבר; (13) ה' (?) באדר צום יוליאנוס ופפוס.

צום מרים בעשרה בניסן נזכר גם בלוח התעניות שבידינו. ואולם צום פטירת יהושע, המובא בפיוטנו בי"ח באייר, נזכר במקורות שלנו בכ"ו בניסן. התאריך הנקוב בפיוטנו חופף כנגד זה את המובא בפיוטי קידוש ירחים לר' פינחס,[29] ונמצא שמסורת ארץ ישראלית קדומה כאן, והיא שונה מן המסורת (הבבלית ?) המובאת בספרים אחרים.

צום שמואל בכ"ט בסיון אף הוא סותר את המקורות שבידינו שגורסים צום זה בכ"ח[30] באייר. אף כאן תואם פיוטנו בדיוק את המובא בקידושי הירחים של ר' פינחס.[31] מופלא הדבר שאף הגירסה השנייה של פיוטנו, והיא תדירה בכתבי היד האירופיים, שלפיה חל הצום בכ"ז בסיון ולא בכ"ט, מקויימת באחת מכתבי היד של קידושי הירחים (כ"י אוכספורד 2852/8). כיוצא בזה צום הריגתם של רבן שמעון בן גמליאל ור' ישמעאל בחמישה באלול. בספרים שבידינו נזכר הצום בכ"ה בסיון, אבל ר' פינחס מזכירו גם כן בה' באלול.[32] צום בני צדקיה נזכר בחודש חשוון (יום ו') גם במקורות אשר בידינו וכן הוא גם אצל ר' פינחס. צום שריפת המגילה שכתב ירמיה נזכר במקורות שבידינו בח' בכסלו;[33] בפיוטנו הוא נזכר בי' בו. כ"י אוכספורד 2852/8 של קידושי הירחים לר' פינחס גורס אף הוא 'צום שריפת מגלה בעשרה בו'. אמנם כתבי יד אחרים מביאים בזה תאריכים מתחלפים.

צום בני בנימין נזכר בחודש שבט בכל המקורות, כולל פיוטי ר' פינחס, אף כי יש הבדלים בין המקורות באשר ליום שבו חל הצום. אין אנו יודעים מה היתה בזה מסורת פייטננו לפי שאין הוא נוקב ביומו של הצום. כן הוא גם באשר לצום שנקבע באדר (במקורות שבידינו: ט', בפיוטו של ר' פינחס בד') לזכר מחלוקת בית שמאי ובית הלל ('צום הלל ושמאי' אצל ר' פינחס), ואולם הזכרתם בהקשר זה של פפוס ויוליאנוס מופלאה, ולא מצאנו לה מקבילה כלל. לוליאנוס ופפוס הנזכרים כאן בהקשר של תעניות נזכרים במגילת תענית[34] בקשר ליום טוב שנקבע על שום העונש שנענש טירון או טורינוס שתפסם בלודקיא והוציאם להורג, ש'לא נסע משם עד שבאת עליו דיופלי של רומי ופצעו את מוחו בגזירין ובבקעות.' יום טוב זה אמנם באדר היה וביום י"ב בו, וצום יוליאנוס ופפוס שנזכרים אצלנו אף הוא באדר היה, אך לפי קצת

29 פיוטים אלה נדפסו על ידי א' מרמרשטיין בהצפה לחכמת ישראל כרך ה עמ' 225 ואילך. בכל אחד מן הפיוטים שבסדרה זו מזכיר הפייטן את הצומות (אולי רק חלק מהם) האמורים לחול בחודש שהפיוט מיועד לו. על חוסר התואם בין הצומות הנזכרים על ידי ר' פינחס לבין אלה הידועים לנו מן המקורות האחרים כבר התמיה מרמרשטיין שם, עמ' 220 ואילך. [הערה בעת ההגהה: לעניין הצומות השווה כעת בלוח התעניות הארץ ישראליות שנדפס בספרו של מרדכי מרגליות ז"ל, הלכות ארץ ישראל מן הגניזה, ירושלים תשל"ד, עמ' קמ"א ואילך].

30 במגילת תענית ברוב המקורות: כ"ט באייר.

31 מעניין הדבר שאף צום עלי, המובא במקורות שלנו באייר מובא בפיוטי ר' פינחס בסיון; אבל אין התאמה בימים.

32 כ"י אוכספורד 2852/8: 'פחדתי כנהרגו ידידי בו / צדיקים שניים רבן שמעון ורבן (!) ישמעאל בחמשה בו.' בקצת מקורות חסרים השמות והתאריך, אבל אין ספק שזוהי הגירסה העיקרית.

33 ברוב המקורות של מגילת תענית: בז' בו. בטור אורח חיים: בכ"ח בו.

34 מהד' נויבאואר עמ' 19, מהד' ליכטנשטיין *HUCA* VIII–IX (1931/32) 346.

עיקר נושאהו: עשרת המסעות שנסעה השכינה בהתרחקה מבית המקדש בשל עוונותיהם של ישראל. תחנות המסע הללו מצויינות בכל טור ד׳. ברם בטורים שלפני כן מזכיר הפייטן במפורש או ברמז גם שם של שבט משבטי ישראל. עשרת מסעות השכינה נזכרים באגדה מפורסמת שמופיעה בכמה מקבילות ושנוסחה הקדום ביותר נראה שהוא בפסיקתא דרב כהנא (דף קיד: ב). במקבילות השונות נזכרים מסעות השכינה בכמה סדרים שונים והסדר המובא בפיוטנו שונה מכל הסדרים העומדים לפנינו. אף על פי כן קרובה המסורת שהקינה מיוסדת עליה אל זו המתנסחת בפסיקתא; תחנות המסע זהות, ורק סדרן מוחלף בשתי נקודות.[25]

מסעות השכינה שימשו יסוד גם לקינות אחרות. גם בין הפיוטים שמ׳ זולאי ייחסם ליניי משום ספק נמצא פיוט כזה,[26] ואף לקלירי מיוחסת קינה נוספת שיש בה זכר למסעות השכינה, היא הקינה שפתיחתה ׳אויל כהכניס תרף להיכל׳ (א. 1803); ברם שם אין הנושא משמש יסוד תימאטי ממשי לפיוט ואין הוא מתפייט בו בפירוט.

2. מופלא הוא תוכנו של הפיוט השני ויש לתמוה שלא זכה לעיון מדוקדק עד כה, אף על פי שהוא מן הפיוטים השכיחים בכתבי היד האירופיים, כנזכר לעיל. את תכנו כבר ציין צונץ בהבלטה נכונה: "Eine Art Fastentabelle" כלומר: מעין לוח צומות, ואמנם בא המקונן לציין בו ׳צומות ותעניות׳ שנמסרו ׳מדור לדור׳ ולבכות לישראל שאפפו אותם צרות רבות ורעות בכל החדשים. ודאי, אין כאן לוח צומות ממצה, שהרי הפייטן מסתפק כמעט בעל כרחו בהזכרת תענית אחת לכל חודש,[27] ונמצא משמיט כמה תעניות שהיו בודאי נהוגות בימיו ובמקומו. אבל גם לא היתה כוונתו להעמיד רשימת צומות שימושית, אלא לתנות את צרותיהם התכופות מדי והמרובות מדי של ישראל.

כידוע, יש בידינו לוח צומות קדום שנזכרות בו תעניות שאינן נהוגות עוד בימינו, והוא מובא, בהיקף זהה כמעט, בכמה וכמה מקורות קדומים ומאוחרים כאחד.[28] לוח הצומות של פיוטנו יש בו כמה פרטים ראויים לעיון. ואלה הצומות הנזכרים על ידי הפייטן: (1) י׳ בניסן יום פטירתה של מרים; (2) י״ח באייר צום פטירת יהושע; (3) כ״ט בסיון יום פטירת שמואל; (4) י״ז בתמוז; (5) ט׳ באב; (6) ה׳ באלול מות ר׳ שמעון בן גמליאל ור׳ ישמעאל; (7) ג׳ בתשרי צום גדליה; (8) ? חשוון, הריגת

25 המקור שבפסיקתא דר״כ מועתק בצורה זהה גם בילקוט ירמיה רמז רנז ובמדרש הגדול תזריע יג:נט (עמ׳ 313). סדר המסעות שבפיוט מקדים את החצר לפתח השער ואת העיר לחומה והוא סדר הגיוני יותר מזה המובא בפסיקתא ששם סדרן של שתי תחנות אלו הפוך. שאר המסעות חופפים. סדר אחר מובא באיכ״ר פתיחתא כה. בילקוט יחזקאל שנ מובאת גירסה דומה לזו שלפסיקתא אלא ששני מסעות (כרובים ושער) מושמטים, ובמקומם מובאים בסוף הדרשה שני מסעות אחרים: מדבר ו׳מקומה.׳ חוסר התואם בין המקורות המדרשיים לבין פיוטים הנראים מפייטים אותם היא בחינת תופעה שכיחה. בדרך כלל נוהגים להניח שהפייטן עיבד מקור או נוסח שאינו לפנינו עוד, אבל אין זה מחוייב המציאות שהרי אין הפייטן חייב לעבד את הדברים בדייקנות לפי המקור המשמש לו יסוד. במקרה שלנו, ובכמה מקרים נוספים, מהם גם מן הנזכרים להלן, מובאת האגדה עצמה במסורות מתחלפות, אף זאת כנראה משום שמעתיקים לא הקפידו בהעברתם המדוייקת של פרטי האגדות.

26 ׳אמות עשרים המעולות,׳ מהד׳ זולאי עמ׳ שעה. גם כאן שונה סדר המסעות מכל הידוע לנו מן המקורות שלפנינו, בין במדרשות ובין בפיוט.

27 מלבד חודש אדר שנזכרות בו שתי תעניות. עיין עוד להלן.

28 כגון בסוף מגילת תענית, מהד׳ נויבאואר ב׳סדר החכמים וקורות הימים׳ ב, עמ׳ 23 ואילך, הלכות גדולות מהד׳ הילדסהיימר עמ׳ קצב, סדר רב עמרם גאון מהד׳ ד׳ גולדשמידט עמ׳ צא, מחזור ויטרי עמ׳ 239, טור אורח חיים סימן תקפ ועוד כמה מקורות מאוחרים.

פיוט זה מסתיים בטור 'וכסאו לארץ מ י ג ר ת ה;' בכ"י ט"ש H14/42 מובאת אחר כך מחרוזות מעבר זו: 'מ י ג ר ת ה להק היקהלי / עד נבו... להקהילי / זדון בריתות ודברות בחללי / רוטשתי לחשבונם ארבעים ושש למנין א ה ל י.'[23] נמצא אף כאן רמז לפיוט נוסף שתחילתו 'אהלי,' והוא כנראה פיוט ה' של סדרתנו.[24]

חמשת הפיוטים המצטרפים לסדרת הקינות הנדפסת להלן מעניינים גם בזכות עצמם ובחלקם הם מביאים לפנינו עניינים שראויים לתשומת לב ממוקדת. הם גם מתיחדים, למרות היותם טבועים בדפוס אחיד, בפרטים תבניתיים שאף הם ראויים לעיון. נקדים ונאמר שבכל הפיוטים עמדה לפני הפייטן בעיית חוסר ההתאמה בין מספר התיבות בפסוק 'אהלי שודד' (14) לבין מספר המחרוזות (המרובעות) המתחייב ממספר הפסוקים שברוב פרקי מגילת איכה (11). את הבעייה הזאת פתר הפייטן בדרך הטבע על ידי הבאתן לעתים של שתי מלים מפסוק־המסגרת בראש אחדות מן המחרוזות, אבל לא נהג בזה אחידות. בפיוט הראשון הוסיף סטרופה אחת על י"א הסטרופות הקבועות (ג'פ ת') והביא שתי מלים מפסוק־המסגרת לפני מחרוזת ט' ('אין נוטה') ולפני זו האחרונה ('ומקים יריעותי'). בפיוט השני הביא בשלוש הסטרופות האחרונות שתים שתים מלים מפסוק המסגרת. בפיוט השלישי עמדו לרשות הפייטן הרבה התחלות פסוקים, למעלה מן הצורך, שהרי פרק ג' באיכה עשוי א"ב משולש. ברם כאן הביא הפייטן רק התחלה אחת (את הראשונה) מכל אות, ואת שאר ההתחלות השמיט. רק מאות ש' הביא שתי התחלות־פסוקים, ועל ידי כך הוסיף סטרופה לפיוט (בסטרופה האחרונה לא העמיד מלת פתיחה לטור השלישי). את עודף המלים של פסוק המסגרת חלק בין שתי הסטרופות האחרונות: בסטרופה שלפני האחרונה העמיד מלה מן הפסוק גם לפני טור ג', ובראש הסטרופה האחרונה העמיד שתי מלים. כך, בערך, נהג גם בפיוט הרביעי: בראש הסטרופה שלפני האחרונה העמיד שתי מלים מפסוק המסגרת ('נוטה עוד') ובראש טור ג' של אותה סטרופה העמיד מלה נוספת ('אהלי'). כיוצא בזה העמיד מלה אחת ('ומקים') בראש הסטרופה האחרונה, ומלה אחרונה מן הפסוק ('יריעותי') בראש טור ג' של אותה סטרופה. הפיוט החמישי עשוי, כנזכר, סטרופות דוטוריות: בנוסח שלנו באות שתי מלים מפסוק המסגרת לפני המחרוזת האחרונה ואילו שתי מלים מתוכו, 'אין' ו'עוד,' חסרות. כנראה יש לצרפן לסטרופה 9 ('אין נוטה') ולסטרופה 10 ('עוד אהלי'), אלא שהמעתיק השמיטן.

נדון עכשיו בפרטי כל אחד מן הפיוטים לחוד.

1. הקינה הראשונה יש בה סדר אלפביתי מרכב. בהתאם לדפוס הבסיסי של כל פיוטי הסדרה קלוטים טורים א' וג' של כל מחרוזות הפיוטים [מלבד פיוט ה'] בסדר אלפביתי ישר, מכוח מלות ההתחלה של פסוקי מגילת איכה (האלפביתיים) הבאים בראשם. ואולם בפיוט זה לא הסתפק הפייטן בכך, אלא העמיד גם את המלים ש א ח ר י מלות הפתיחה הללו בסדר אלפביתי תואם ('איכה אופל,' 'בכה בקראותי,' 'גלתה גלה' וכו'), וכן העמיד בראש כל טור ב' פעם נוספת את אות הפתיחה של טור א', אחרי ו' החיבור (בט' 27 הנוסח משובש). מבחינת התוכן זהו פירוט כפול־נושאים.

23 צונץ בספרו הנ"ל בהערה 21 מציין כאן סטרופת מעבר אחרת שהיתה לפניו ושנסתיימה ב'בבית אהלי.' אבל אף זאת רומזת, כמובן, לפיוט שתחילתו בתיבה זו.

24 יש בידינו כמה מחזורי קינות לט"ב המרכבים מחמשה פיוטים, שמביאים, כל אחד, התחלות פסוקים מחמשת הפרקים של מגילת איכה. גם בין קינות הקלירי יש פיוטים מטיפוס זה וניתן לצרפם יחד. לאחרונה פרסמתי סדרת קינות כזאת של רב האיי גאון במאמרי 'נוספות למורשתו הפייטנית של רב האיי גאון', סיני סז (תש"ל) עמ' קפב ואילך.

'אהלי איכה הומאס,' רשם צונץ על פי 'מחזור עתיק כמנהג יון' והוא נשתקע;[21] שלושת הפיוטים הללו מופיעים גם בכמה כתבי יד מן הגניזה. כנגד זה נעלמו כמעט לגמרי שני הפיוטים הנוספים, הראשון והאחרון, של הסדרה, ואף בגניזה לא מצאתים אלא בכתבי יד בודדים.

אמנם, שייכותם של הפיוטים לסדרה אחת אינה מבוררת בתכלית הבירור, שהרי לא מצאנום בשום מקום מועתקים יחד,[21*] והמפקפק יכול להטיל ספק במשקל משמעם של המבנים הסטיריאוטיפיים ושל הסגנונות הקליריים המובהקים של הקטעים. ואולם הוכחה לעניין זה אפשר לראות במציאותם־בידינו של כמה מחרוזות מעבר, כולן חתומות בידי הקלירי, שעל כל פנים נראות רומזות לקשרים בין הפיוטים. קרובת הקלירי שנדפסה לעיל מסתיימת, כפי שכבר צויין, בקינת־השלמה; זו סופה בטור 'תפן לבשרנו כי שלמו ק י נ ו ת.' והנה סטרופת המעבר הבאה אחרי טור זה בכ"י המוזיאון הבריטי 5557F דף 58 זה לשונה: 'ק י נ ו ת [...] מחוללי / עת כי שכחתי מחוללי / ז[מו]תי כי לעד יאהילי / רשעתי ונסע ונטש א ה ל י.' מכאן שאחרי קינת ההשלמה לקרובתנו צפויה היתה לבוא קינה שתחילתה במלת 'אהלי' ושעניינה בהתרחקות השכינה מישראל. כמעט שאין ספק שהנרמז הוא הפיוט הראשון של סדרתנו שתחילתה 'אהלי איכה אפל' ושאמנם עיקר ענינו בנושא זה.[22]

הפיוט הראשון של סדרתנו מסתיים במלת 'נחלתי.' סיומו של הפיוט בנוסח המובא בכ"י המוזיאון הבריטי Or. 5557 P דף 36 צמוד של מחרוזת מעבר (הכותרת: 'אחר סלסלה') בזה הלשון: 'נ ח ל ת י אמולת לב נותרה במעלי / על כי שכחתי צור מחוללי / זממתי [......] / רשעתי ונטשני וקדישים גילו א ו ה ל י.' המחרוזת רומזת בבירור לפיוט השני של הסדרה: 'אהלי איכה גילו קדשים.'

כך מצאנו גם בפיוט השני של הסדרה: בכ"י מוצרי 681 מסתיים פיוט זה בטור 'רואה והומה עד קץ נ ח מ ה.' אחרי סיום זה בא בכה"י הציון 'אחר סלסלה,' ואחר כך מחרוזת המעבר הבאה: 'נ ח מ ה אכן לי [...] מחלי / עומדת ומצפה לקול פתחי לי / [...] דתות ודברות בגעלי / רוט[שתי......] ארבעים וששה למנין א ה ל י. מיד אחר כך באה פתיחת הפיוט השלישי: 'אהלי אני עבטתי בדיבור [סרה]'.

הפיוט השלישי של הסדרה שלנו מסתיים בטור 'שובב לקדמתן שימוע עשרה מיריחו.' בכ"י מוצרי P25 מובאת אחר כך סטרופת מעבר בנוסח זה: 'מ י ר י ח ו לוכד קהלי / עד הסתרים להבהילי / זד בחרמו לכדי [...] לי / רוחקה ומשם סולקה שכינת א ה ל י.' נמצא שגם אחרי קינה זו צפויה היתה לבוא קינה שתחילתה 'אהלי,' ונראה שהמכוון הוא פיוט ד' של סדרתנו, שתחילתו 'אהלי איכה הומאס.'

21 עיין *Literaturgeschichte* עמ' 50. לשלוש קינות אלו רמזתי גם במאמרי הנזכר לעיל בסיני סב עמ' טז הערה 16.

*21 אחרי מסירת המאמר לדפוס נזדמנו לפני שני דפים מתוך כתב יד אחד שהכיל כנראה את כל סדרת הפיוטים שלנו. דף אחד ממנו שמור במוזיאון הבריטי Or. 5557 P דף 36, והוא מביא קטע מן הפיוט הראשון 'אהלי איכה אפל' (מט' 28 עד הסוף), וקטע מן הפיוט השני 'אהלי איכה גילו קדשים' (עד ט' 26)· המשך הפיוט עד הסוף בא בכ"י מוצרי P 681, ולאחריו התחלת הפיוט השלישי 'אהלי אני עבטתי' (עד ט' 19). בכתב יד זה נשתמרו גם מחרוזות המעבר האותנטיות (כנראה) שחיברו את הפיוטים, והן מובאות להלן. כן ניתן להשלים על פי כ"י זה את הטורים 41–44 בפיוט הראשון ואת הסטרופה האחרונה בפיוט השני שחסרו במקורות שלפיהם הותקן המאמר בשעתו.

22 אמנם יש לציין שגירסאותיהן של סטרופות מעבר אלו מפוקפקות לעתים וכמה מהן נראות שונות זו מזו בפרטים קטנים בלבד. ועיין עוד להלן בסוף פרק זה. אני מביא בכוונה נוסחאות מן הגניזה לפי שאלו קדומים יותר וגירסתם מהימנה יותר.

ברשימתו של צונץ, ניתן לומר בודאות שהקלירי יצר את קינותיו מחזורים מחזורים יחד עם קרובותיו, קרובה קרובה וקינותיה. ואולם אין בידינו לשחזר כעת את הרכב המחזורים הללו ולקבוע אלו פיוטים השתייכו לכל אחד מהם. אמנם לעתים ניתנת אפשרות־מה לנחש איך היה סדרן של קינות במחזורים קדומים, על פי סטרופות המעבר המסונפות לרובן,[20] ברם במחרוזות אלו עשו המעתיקים שמות וקשה להבדיל בהן בין האותנטיות לבין ה׳מזוייפות׳ והמאוחרות. כללו של דבר: אמנותו הקומפוזיציונית המופלאה של הפייטן הגדול לא הופעלה בקינותיו; את אלו לא דאג לבנות על פי תכנית קומפוזיציונית קבועה שמכוחה תוכר במובהק התלות שבין המרכיבים השונים, אלא השאיר את יצירותיו בפירודן.

לפיכך נראית מעניינת העובדה שמתוך הים הגדול של הקינות הקליריות ניתן בכל זאת לשחזר סדרת פיוטים אחת שמצטיינת באחידות צורנית בולטת ושנראה קרוב מאוד לומר שכוונה להיות מקשה אחת. ולא עוד אלא שסדרה זו נראית קשורה מבחינת ייחודה הצורני דוקא לקרובה שפורסמה זה עתה, ויש להניח שנוצרה כדי לשמש הרחבה דוקא לה, אם בגפה, ואם בצירוף קינות אחרות.

הקרובה ׳אהלי איכה בשלי הוזעם׳ מתיחדת מבחינת המבנה הצורני שלה במסגרתה המקראית הכפולה, ר״ל בעובדה שבניגוד למה שמצאנו בדרך כלל בפייטנות, אין היא מביאה בראשי חטיבותיה וטוריה מקרא או מקראות ממקור אחד, אלא משני מקורות: ראשי חטיבותיה מיוסדים על ירמיה י: כ, ואילו ראשי טוריה מיוסדים על התחלות פסוקים ממגילת איכה. והנה פרט תבניתי זה מאפיין גם סדרה של חמש קינות קליריות; חמשתן מיוסדות מצד אחד על המקרא הנ״ל בירמיה שתיבה אחת מתיבותיו מופיעה בראש כל אחת ממחרוזותיהן, ומצד שני על התחלות רצופות של פסוקים מתוך מגילת איכה, קינה קינה ופרקה: תיבות ההתחלה של הפסוקים מופיעות בכל מחרוזות הקינות בראש הטורים א׳ וג׳. יוצאת מן הכללים האלה הקינה החמישית בלבד, המיוסדת על איכה ה׳; קינה זו אינה מחורזת והיא עשויה מחרוזות דו־טוריות, משורשרות; אבל גם בקינה זו מקויימת, כמובן, המסגרת המקראית הכפולה, והיא עדות מכרעת, לדעתי, להשתייכותה לסדרה זו.

יש להם לפיוטים גורלות משלהם. הפיוט השלישי של הסדרה הזאת, שתחילתו ׳אהלי אני עבטתי בדיבור סרה,׳ ניקלט במנהג איטליה, הועתק עשרות פעמים בכתבי יד קדומים ומאוחרים, ואף נדפס במהדורות המקובלות של מנהג איטליה, כולל מחזור איטאליאני של שד״ל. הפיוט ה ש נ י שלסדרה, שתחילתו ׳אהלי איכה גלו קדשים׳ נתקבל אף הוא למנהג איטליה והועתק פעמים הרבה בכתבי יד, אבל לא חדר אל מחזורי איטליה שבדפוס ולא נדפס מעולם. את הפיוט הרביעי של הסדרה, שתחילתו

20 עיין לעיל הערה 5. תפקידן של סטרופות מעבר אלו לא הובן תמיד במחקר: קצת חכמים ראו בהן חלקים אינטגראליים של הקינות שלפניהן, וקצתם ראו בהן פתיחות לקינות שלאחריהן. על צד האמת אין הן שייכות לא לפיוטים שלפניהן ולא לאלה שלאחריהן אלא יעודן לשמש גשר בינותם ולצרפם יחד על ידי שרשור. סטרופות המעבר פותחות תמיד בתיבה שהפיוט שלפניהן נסתיים בה ומסתיימות תמיד בתיבה שהפיוט שלאחריהן אמור להתחיל בה. לפיכך גם קרויות מחרוזות אלו בכה״י שלגניזה לעתים קרובות ׳סלסלה׳ ר״ל שלשלת (= שרשור). שיטת קישור זו אינה המצאת הקלירי והיא אף אינה מיוחדת לקינות, אלא היא מופיעה במקומות שבהם רצו פייטנים לצרף פיוטים בודדים לסדרה אחת כגון ב׳דיברין׳ בקדושתאות של שבועות (עיין למשל הנדפס על ידי פראנקל בספר היובל לצונץ, ברלין 1884, עמ׳ 215 ואילך ובסידור רס״ג עמ׳ שפו ואילך ועוד) וכן במחזורי רהיטים, במיוחד בקדושתאות לוויושע (יום ז׳ של פסח) וכד׳. לעתים אין השרשור הקושר את סטרופת המעבר אל הפיוט שלאחריה מושלם.

יְרִיעוֹתַי נִשְׁקַד / כֹּהֲנַי ואברים | נְבִיאַיִךְ / [כְּנִיגְלִים] מִכָּל עֲבָרִים
נַחְפְּשָׂה / אִם יֵשׁ בָּךְ כְּעָל לְהַר עֲבָרִים | נִישָּׂא / וְנִפְלָה מִי בַּעַל דְּבָרִים
נַחְנוּ / לְעֵין עוֹבְרִים | יֶשֶׁבְאָב כְּנוּעַ כְּבָרִים | לָמַס / [כָּל עֶדְרֵי חֲבֵרִים]
נָעוּ עִוְּרִים

נָעוּ רֹאשׁ מְקוֹנְנִים | שִׁיר מַתִּתְיָה בְּקִינִים
וְחַיַּית קָנִים | מָכְרָה יְדִיד וְאֵין קוֹנִים
עַד יְכוֹנֵן לְתִיקוּנִים | בֵּית מוֹשַׁב זְקֵנִים
ב׳ בונה ירושלים

זְקֵנִים אַדִּירֵי מְשִׁיבַת
לֻופְּתוּ [וְנֻופְּצוּ] מִישִׁיבַת
עֵת סוֹעָה בְּגָזִית נִשְׁבַּת
זְקֵנֵי חָרָשׁ וּמַסְגֵּר מִשָּׁם הָשְׁבַּת
רֶגֶל וּמוֹעֵד וְשַׁבָּת
וְגִיל קִידּוּשׁ הַבַּת
שֻׁוֹכַּח בְּצִיּוֹן וְשׂוֹשׂ שָׁבַת

[ב]

קינותיו המרובות של הקלירי אי אפשר להעלות על הדעת שנועדו להיאמר כולן ביחד במסגרתה של קרובה אחת. צונץ, שערך רשימה ראשונה של פיוטי הט״ב של הקלירי, כבר שיער, ובצדק, שיש לחלק את הקינות לשני מחזורים, שכל אחד מהם שימש בודאי הרחבה לאחת משתי קרובותיו הגדולות של הקלירי שהיו ידועות לו.[19] עכשיו שיש בידינו שרידים של חמש קרובות קליריות וקינות במספר גדול הרבה ממספרן

92 **כהני**: הפיענוח מפוקפק ואין בידי להלום. ההשלמות כאן על פי כ״י קויפמן. **כנגלים**: בכה״י כנראה: ניגלים, והוא נכון יותר. 93 **כעל להר עברים**: כמשה רבינו. **נישא וכו׳**: תארים למשה. 94 **ישבאב**: הי״ד במשמרות הכהונה. **כנוע כברים**: עמוס ט:ט. **כל עדרי חבירים**: על פי שה״ש א:ז. 96 **מתתיה**: הי״ד במשמרות הלויה. **בקינים**: נתחלף בקינים. **וחיית קנים**: אדום (תה׳ סח:סא). **ידיד**: את ישראל. ורומז לשבט בנימין (דב׳ לג:יב). **מכרה... ואין קונים**: דב׳ כח:סח. 98 **בית מושב זקנים**: את בית המקדש שזקנים יושבים בו. והשווה וי׳ כה:כט, תה׳ קז:לב.

סטרופת המעבר אל הקינה המשלימה: 99 **אדירי משיבת**: אדירי התורה שהיא משיבת נפש (תה׳ יט:ח). 100 **לופתו**: מלשון ׳ילפתו ארחות דרכם׳ (איוב ו:יח). **ונופצו**: הוגלו. **מישיבת**: ממקום שבתם. 101 **בגזית**: כך בכה״י, אבל בכ״י קויפמן ובדפוסים: כגזית. 102 **חרש ומסגר**: תלמידי חכמים, על פי מל״ב כד:יד, כפירוש חז״ל.

19 עיין דבריו ב־*Literaturgeschichte* עמ׳ 52.

וּכְקַשׁ לַהַב חֲשָׁשִׁים | אוֹכְלוּ הַנָּשִׁים
עַד יִשְׁפּוֹט דִּין חֲמוּשִׁים | מִיַּד לֵב נָשִׁים

ב׳ אהב

אָהֳלִי לֹא / הֻוזְכַּר לְכַת יְתוֹמִים דָּמִינוּ | לְאִמּוֹתָם / כְּדָגִים אֲחָזוּנִי וְנִטְמִינוּ
לְדַכֵּא / רוֹזְנֵינוּ גֵּאִים פַּח הִטְמִינוּ | לְהַטּוֹת / פִּלְאֵי אֲדָר מְזִמָּה הִזְמִינוּ
לְעַוֵּת / דִּין הִימְנוּ | וְעַל יָקִים הִכְמִינוּ | בַּמְּדִינוֹת / לַעֲמוֹרָה דָמִינוּ
וְהֵם לֹא הֶאֱמִינוּ

לֹא לָעַד נְהִי חֲסֵרִים | חֲשַׁבְיָה מֵאַרְבַּע וְעֶשְׂרִים
בְּגִלְעָדִי נְהִי מְבֻושָּׂרִים | בּוֹ כָּל אֲסִרִים
עַד לֵאמֹר לָאֲסוּרִים | צְאוּ כִּי נִכְנְעוּ גְּאוֹן שָׂרִים

ב׳ מכניע

וּמֵקִים מִמָּרוֹם / רִשְׁפֵּי אֵשׁ לְלַהֲבֶיהָ | מַה / דָּמְתָה זֹאת עֵת לְעֵת הֶאֱהִיבֶיהָ
מִי / גָּרַם לָהּ לָזֹאת לַהֲבִיאֶיהָ | מִפִּי / מְאַהֲבֶיהָ אֲשֶׁר דִּמּוּ לְחַיְּבֶיהָ
מָה / חָטְאוּ נָוֶיהָ | וּבֵית מָעוֹן מְנֻוֶּיהָ | הָיְתָה / לְקֶלֶס עִם צְבָאֶיהָ
מֵחַטֹּאת נְבִיאֶיהָ

מֵחַטֹּאוֹת יָשְׁבוּ אֲחוֹרִים | שִׁיר שׁוּבָאֵל מחירים
וְעַף עֲנַן מִשְׁחָרִים | מֵעַם מֻשְׁחָרִים
עַד מִבְטַח הֲדָרִים | יֶחֱזוּ בַּחוּרִים

ב׳ מבטח

76 וכקש וכו׳: וכמו שלהב החששים אוכל את הקש; על פי יש׳ ה:כד. ו׳להב׳ רומז כאן לשבט יוסף, על פי עו׳ יח. 77 חמושים: ישראל (שמ׳ יג:יח). לב נשים: כינוי לאדום על פי יר׳ מט:כב.

78 לכת: בכ״י קויפמן: לעת; ואולי הוא נכון. כדגים: מזל אדר. ונטמינו: השווה איוב יח:ג. 79 פלאי אדר: רומז לנס פורים. הזמינו: זימנו, הכינו. 80 הימנו: נ״ל כמו: מינו, שמו לבם. יקים: השנים עשר במשמרות הכהונה. הכמינו: הסתירו מזימותיהם. לעמורה דמינו יש׳ ע:ט. 82 חשביה: הי״ב במשמרות הלוייה. מארבעה ועשרים: מתוך כ״ד המשמרות. 83 בגלעדי: באליהו הנביא (מל״א יז:א). 84 עד לאמור וכו׳: יש׳ מט:ט.

85 ללהביה: לשרוף את כנסת ישראל. מה וכו׳: כלום דמתה עת זאת של חורבנה לעת שאהב אותה. 86 לחייביה: להחטיאה. 87 נוויה: אולי: הנאים שבה. ובית מעון מנויה: ובית המקדש המובחר שבבתיה. ו׳בית מעון׳ רומז למשמר חופה שמקומו היה בבית מעון. 89 מחטאות: משום חטאותיה של כנסת ישראל. ישבו אחורים: נ״ל מלשון ׳גם היא נאנחה ותשב אחור׳ (איכה א:ח). שובאל: הי״ג במשמרות הלויה. מחירים: נראה לי משובש. ובכתב יד קויפמן: מדירים, ונראה נכון. 90 ועף ענן משחרים: כנראה צ״ל: שחרים, וכן הוא בכ״י קויפמן. ור״ל: עף חסדם של ישראל. על פי הו׳ ו:ד: וחסדכם כענן בוקר. ורומז כאן גם לשבט אפרים על פי ראש הפסוק: מה אעשה לך אפרים וכו׳. מעם מושחרים: נ״ל: מן העם החוטא. או: מן העם ששיחרו פניו בשלוותו. 91 מבטח הדרים. מקום המבטחים המהודר.

טוֹבִים בָּרָעִים בְּכָפְשֵׁינוּ | דִּמְמוּ מַתַּנְיָה מַרְגְּשֵׁינוּ
וְחֶלְקַת אָתוּי בְּרֹאשֵׁינוּ | הִצִּיתוּהָ רוֹפְשֵׁינוּ
עַד בָּרֵךְ בְּטַל שְׁנַת כבושנו | לְעָבְדוֹ בְנַפְשֵׁינוּ

ב׳ מברך

נוֹטֶה יָדוֹ / לְהַנְחוֹת עֲנוּשִׁים | יָשְׁבוּ / שׁוֹסִים שְׁסוּעַ כִּגְדִי אֲנוּשִׁים
יֵשֵׁב / נְכוֹ בְרִבְלָה חֲיָלָיו לְהַנְשִׁים | יִתֵּן / בִּסְמוּךְ בְּטֵבֵת עֲדִי לְנוֹשִׁים
יִתֵּן / לְהוֹכִיחַ עֲנוּשִׁים | כָּבוּל בְּשֵׁבֶט אֲנָשִׁים | בְּגוֹיִם מְנוּשִׁים
כּוֹחַ יְדֵי נָשִׁים
יְדֵי יַקִּירֵי מְשׁוֹרְרֵינוּ | רִיפּוּ שִׁמְעִי מְטִירֵינוּ
כִּי מֵעֲדַן אֲשֵׁרֵינוּ | סַף מְעִירֵינוּ
עַד עַצְמוֹת פְּזוּרֵינוּ | יֶאֱסוֹף אֶת עוֹרֵינוּ

ב׳ מקבץ

עוֹד כָּל / יְמֵי עִידָּנַיי | כָּלוּ / כְּמַר מִדְּלִי וְלוֹעֲנוּ עֲדָנַיי
כִּי / כִּדְבוֹרִים סַבּוּנִי עֲדִינַיי | כִּי / פָּקַד שֵׁבֶט עֲוֹנַיי | וְשָׁנוּ עדוניי
כִּי כָּל / עוֹד דָּנַיי | אֶלְיָשִׁיב מְכַהֵן לַיָּי | שָׂרָתִי / וְשִׁבְעַת מְעוֹנַיי
כָּלָה יְיָ
כָּלָה קוֹל רְגָשִׁים | מִשִּׁיר עֲזַרְאֵל [חָשִׁים]

מהמולתנו. 62 **וחלקת**: ואת חלקת שבט דן (דב׳ לג: כא) הציתו המגוללים אותנו ברפש. 63 **ברך**: נראה שצ״ל: יברך. ובכתב יד קויפמן: יעטר. **כבושנו**: איני יודע להלום. ובכ״י קויפמן: שנת נפושינו, ר״ל שנת מנוחתנו.

64 **נוטה ידו**: כמו: נטה ידו. **להנחות**: בכ״י קויפמן: להנחית, ונראה נכון יותר. **ענושים**: ר״ל: עונשים. **ישבו שוסיהם**: אויביהם של ישראל. **שסוע כגדי**: על פי שו׳ יד:ו; ורומז למזל טבת: גדי. **אנושים**: את ישראל המדוכאים. 65 **ישב נכו ברבלה**: עיין מל״ב כג:לג. **להנשים**: נ״ל כמו: להנפיש, מלשון נופש; ליתן להם מנוחה, דרך אדנות ושררה. **בסמוך בטבת**: עם שהוא מתקרב אל חומות ירושלים להביאה במצור בטבת. **יתן... עדי לנושים**: יתן תפארתי לנושיי. 66 **להוכיח**: לייסר. **ענושים**: את החוטאים. **כבול**: העשירי במשמרות הכהונה: שכניה־כבול. **בשבט אנשים**: ש״ב ז:יד. **מנושים**: שכוחים מלב. 67 **כוח ידי נשים**: כשכוחם ככוח ידי נשים. 68 **שמעי**: בכה״י שמעו; ושמעי הוא העשירי המשמרות הכהונה. **מטירינו**: כמו: מטירתנו. 69 **כי מעדן אשרינו**: כי מעדני שבט אשר שלנו. על פי בר׳ מט: כ: מאשר שמנה לחמו והוא יתן מעדני מלך. 70 **את**: יחד עם.

71 **כמר מדלי**: כמו כלום (יש׳ מ: טו). ו׳דלי׳ מזל שבט. **ולוענו**: הורעלו. 72 **כדבורים סבוני**: על פי תה׳ קיח:יב. **עדיניי**: הבבליים. **שבט**: כמו: לשבט. ורומז גם לחודש שבט. ואולי יש לנקד שבט בשי״ן שואית. **עידוניי**: נראה שיש לגרוס יחד עם כ״י קויפמן: עידניי. 73 **כי כל עוד דניי**: אין בידי לפרש. **אלישיב**: הי״א במשמרות הכהונה. **שרתי**: את בית המקדש. **ושבעת מעוניי**: ואת שאר שבעת המקדשים שהקים הקב״ה לישראל (עיין בר״ר נד: ד, תנחומא באבער תולדות ח). 75 **קול רגשים**: של המהלכים בבית ה׳ ברגש. **משיר וכו׳**: החשים וממהרים משום שירם של הלויים. ו׳עזראל׳ הוא האחד עשר במשמרות הלוייה.

זַכּוּ יְשַׂרְאֵלָה הֲדְרַכְתֵּינוּ | מִלֶּכֶת בִּרְחוֹבוֹתֵינוּ
וְזִינּוּק בָּשָׁן בְּהַעֲוֹתֵינוּ | עָף מֵעֲדָתֵינוּ
עַד יְעוֹרֵר אַהֲבָתֵינוּ | לְגָאֳלֵינוּ כִּימֵי אֲבוֹתֵינוּ
ב׳ גואל

וְאֵינָם חֵטְא / בְּצִעָם הֱשִׁיבָם אָחוֹר | חָשַׁב / לַהֲשִׁיבָם לְעַקְרַבֵּי שִׁיחוֹר
חֲסָדַי / שִׁילּוּחַ יַד חוֹר | חֲדָשִׁים / בְּמַרְחֶשְׁוָן אָבוּ לִמְחוֹר
חֶלְקִי / הַטָּהוֹר וְעִדּוּא הַצָּחוֹר | כְּאַלְמָנָה / מֻוכַּת טְחוֹר
חָשַׁךְ מִשְּׁחוֹר
חָשַׁךְ רֶגֶשׁ בַּדִּים | יְשַׁעְיָה כְּפַס בָּאוֹבְדִים
וְשָׂרִים אֶלֶף עֲבוּדִים | בְּלֹא הוֹן נֶעֱבָדִים
עַד יְרַפֵּא כְּאֵב אֲבוּדִים | כִּמְבֵית עֲבָדִים
ב׳ רפא

אֵין טֻומְאָתָהּ / כְּמַכּוֹת הָיוּ | טָבְעוּ / בְּחִצֵּי קֶשֶׁת שְׁשׂוֹנָם כְּעִוְיוּ
טוֹב / לֹא דָרְשׁוּ וְלֹא הָיוּ | טוֹב / אוֹר כִּסְלֵיו לֹא עִוִּיו
טוֹב / העדים לִי יִהְיוּ | לְמַעַן תִּחְיוּ | רַבָּתִי / כְּשׁוֹד אַרְבֵל צִיו
וְאֵיךְ טוֹבִים הָיוּ

להושיעה. ושית בקוץ מזריה: ותיסר בקוצים ובברקנים את המגלים אותה מעל אדמתה. וכאן רומז למשמר הקוץ. היתה וכו׳: לשעבר הרי היתה כנסת ישראל מפוארת בזיריה, ונזיריה זכו משלג. 47 זכו ישראלה: כמו: זכו בני משמר ישראלה (השביעי במשמרות הלויה). הדרכתנו וכו׳: שיעורו: מלכת ברחובותינו (איכה ד: יח) בהדרכתנו, לפי שהיתה מעוותת. 48 וזנוק בשן וכו׳: ושבט דן (דב׳ לג: כד), לפי שחטאנו, נעלם מתוך עדתנו.

50 שיחור: כינוי למצרים (יר׳ ב: יח). ו׳עקרבי׳ רומז למזל מרחשוון. 51 שילוח יד חור: חסדי הקב״ה ששלח ידו מן החור (שה״ש ה: ד). חדשים: סוררים שבישראל, חדשים מקרוב באו. במרחשון: איני יודע מה כוונתו בזה. אבו למחור: רצו, גיאותו, לסחור בו, ליתן אותו תמורת מחיר. 52 חלקי הטהור: החלק שנתן לי הקב״ה טהור היה. ועידוא הצחור: ואולם הם זיהמו את לבנותו. ׳עידוא׳ נ״ל מלשון ׳בגד עדים׳ (יש׳ סד: ה), והוא גם רמז למשמר אביה עדו. מוכת טחור: שחולה היא במחלת הטחורים. 54 בדים: נ״ל כהנים לבושים במדי בד (וי׳ ו: ג). ישעיה: השמיני במשמרות הלויה. באובדים: בין האובדים. 55 ושרים אלף: רומז לשבט נפתלי (דהי״א יב: לה). בלא הון: תה׳ מד: יג. 56 כמבית עבדים: כמו בעת יציאת מצרים.

57 אין טומאתה: כנסת ישראל הוכתה יותר מכפי עוונותיה, היא לקתה בכפליים. טבעו וכו׳: הטביע ששונם בחיצי קשת כשחטאו. ורומז כאן למזל כסלו (קשת). 58 טוב וכו׳: לא דרשו טובה ולא היו טובים. עויו: נראה משובש, שהרי כבר חרז הפייטן בתיבה זו. ובכ״י קויפמן: ציוו, ואף מלה זו חוזרת בחרוז. ואולי צ״ל: ׳אביו׳ ר״ל: לא רצו את אור כסלו הטוב. 59 טוב: כינוי לקב״ה. העדים: צ״ל: העידם, וכך הוא בכתב יד קויפמן. יהיו: בכ״י קויפמן: היו, ונראה נכון יותר. רבתי: את ירושלים. כשוד ארבל: עיין הו׳ י: יד. וכאן רומז למשמר ישוע שמקומו היה בארבל. ציו: שמו. ונראה שצ״ל ׳ציויו,׳ בהתאם לחרוז. 60 ואיך: מלת כאב. 61 טובים וכו׳: הואיל ושעבדנו צדיקים לרשעים (עיין מי׳ ג:טז: ׳הכפישני׳ תרגומו: ׳כנע יתי׳). מתניה: התשיעי במשמרות הלויה. מרגשינו: משירתנו,

הָאוֹכְלִים רַעֲנַן יִצְהָרֵינוּ | אוּלַמֵּי נְתַנְיָה המחצירנו
וּפַס מֵחֲצֵרֵינוּ | גֵּרֶם מְשׁוֹבָב יְצָרֵינוּ
עַד נָשׁוּב וְנִשָּׂא עוֹל צוּרֵינוּ | עַל צַוָּארֵינוּ
ב׳ הרוצה

בָּנַי וַיֵּצֵא / אָב אִתָּם בְּחֶרְבּוֹן | וַיִּחָמוֹס / בְּתוּלַת אֱלִי בְּנוֹג עִצָּבוֹן
וַיְגָרֶס / מַתְלְעוֹת חַכְמֵי דָרְבוֹן | וַתִּזְנַח / חוֹמַת אֱלוּל ראית קִצְּבוֹן
וָאוֹמַר / בְּלֵב נָבוֹן | מְיָמִין שָׁת עִזָּבוֹן | עַם / מַה יִּתְעַבּוּן חֶשְׁבּוֹן
וַיְגַדֵּל עָוֹן
וַיְגַדֵּל בְּחֵטְא בְּשַׁעֲרַיִם | מִסְפֵּד בֻּוקִיָּה תְּמוּר שִׁירַיִם
וּבָא הַשֶּׁמֶשׁ בַּצָּהֳרַיִם | מְחָרֵף אֲחוֹרַיִם
עַד צָרוּר עֲוֹן אֶפְרַיִם | יִשָּׂא וְיִסְלַח כְּמִמִּצְרַיִם
ב׳ המרבה לסלוח

יְצָאוּנִי זָכְרָה / אוֹתָהּ כְּגִזָּה נְזֵרִיָּה | זָנַח / בְּפֶלֶס מֹאזְנַיִם מִלְּהַחֲזִירֶיהָ
זְכוֹר / זְרוֹעַ מַחְצַב מַעֲבַר גְּזֵרִיָּה | זָכוֹר / פּוּר תִּשְׁרֵי מֵרִיעַ לְעָזְרֶיהָ
זֹאת / בְּרִית תַּאַזְרֶיהָ | וְשִׁית בְּקוֹץ מְזָרֶיהָ | הָיְתָה / אֲפוּדָה זֵירֶיהָ
זַכּוּ נְזִירֶיהָ

בישעיה כו : יג. 32 **האוכלים למעדנים**: תואר ל׳אדונים׳ שבסוף הטור הקודם.

33 **רענן יצהרנו**: כמו: שמננן הרענן. **נתניה**: החמישי במשמרות הלויה. **המחצירנו**: איני יודע להלום תיבה זו. ואולי הוא מלשון חציר, ור״ל ההופך אותנו ואת אולמי נתניה לחציר יבש. 34 **גרם**: חמור גרם, ר״ל שבט יששכר (בר׳ מט : יד). **משובב יצרנו**: נ״ל: משום יצרנו השובב. וקשה לנקד ׳משובב׳ במ׳ שואית וב׳ צרויה.

36 **בני ויצא וכו׳**: שיעורו: בעניין בני — הנה יצא אביהם שבשמים עליהם להחריבם. **בתולת אלי**: את בתולת ישראל האבלה (יואל א : ח). ורומז גם למזל אלול: בתולה. **בנוג**: בתוגה. 37 **חכמי דרבון**: תלמידי חכמים שדבריהם כדרבנות (קה׳ יב : יא). **חומת אלול**: חומת בית המקדש שבניינה נסתיים בחודש אלול (נח׳ ו : טו). **ראית**: נ״ל שצ״ל: ראות קצבון, ר״ל לראות בחורבנה, מלשון ׳ויקצב עץ וישלך שמה׳ (מל״ב ו : ו). ואולי צ״ל: ראיית. 38 **ואומר וכו׳**: או אז אמרתי בלב נבון: הנה את משמר מימין שם הקב״ה עזוב ומוזנח, אם כן מה יבקש העם חשבונות הרבה, והרי גדל עוונו מנשוא. 40 **ויגדל**: בכה״י בטעות: ויגרס. **בחטא**: משום החטא. **בשערים**: בערי ישראל. **מספד**: גדל מספד משמר בוקיה, במקום השירים שהיה שר. 41 **ובא וכו׳**: על פי עמ׳ ח : ט. **מחרף אחורים**: שבט זבולון (׳עם חרף נפשו למות׳ שו׳ ה : יח). **אחורים**: הוא לזנב ולא לראש. 42 **עד וכו׳**: עד שהקב״ה יואיל לשאת ולסלוח את עון אפרים הצרור (הו׳ יג : יב) כממצרים ועד הנה (במ׳ יד : יט).

43 **יצאוני**: יש להוסיף: בני יצאוני. **זכרה אותה**: זכרה נא, רבש״ע את ישראל. **כגזה נזריה**: כשהיא שרויה באבלה (יר׳ ז : כט). **זנח וכו׳**: ואילו הקב״ה לא אבה להחזירה בדקדוק חשבון עוונותיה (׳בפלס מאזניים׳). וכאן רומז למזל תשרי. 44 **זרוע מחצב**: על פי יש׳ נא : ט. **מעבר גזריה**: מעבר בין גזרי ים סוף. **פור תשרי מריע**: שמנהגו (׳פור׳) להיות תוקע בשופר בתשרי, כדי לעזור לה. 45 **ברית תאזריה**: תחגור אותה בברית זאת

גַּם עָבִים חֲתוּמִים | מִשְׁאוֹל בְּאוּרִים וְתֻומִּים
וּמִזַּכּוּר מִכְתָּמִים | לֹא עָן תָּמִים
עַד יְפַעֲנֵחַ קֵץ סְתוּמִים | קָדוֹשׁ אֲבִי יְתוֹמִים

ב׳ האל

מֵתָרֵי דַּרְכֵי / נָשִׁים נִתְלוּ בְּכַחֲשׁוֹן | דָּרַךְ / בְּכֵן לְצָלְלָם כְּסַרְטָן בְּקִישׁוֹן (פישון)
דּוֹב / אוֹרֵב הוּא לִי לְלַחֲצִי בְּחוֹזֶק בְּקִישׁוֹן | דְּרָכַי / בְּתַמּוּז לְהַשְׁקִיעַ חֶלְשׁוֹן
דָּרַךְ / רֹאשׁ וְרִאשׁוֹן | שֵׁשׁ שְׁעוּרֵי רַחֲשׁוֹן | הָעִיר / בֵּית לַחְשׁוֹן
כלה חך דָּבַק לָשׁוֹן
דָּבַק זֶמֶר נְעִימֵנוּ | וּמִצָּרֵי נָמַר טַעֲמֵנוּ
וְיָדוֹ בְּעוֹרֶף קָמֵינוּ | תְּשִׁימְמֵנוּ
עַד יָחוֹן דַּעַת עַמֵּנוּ | בְּסֵפֶר מֵימֵינוּ

ב׳ חונן

נִתְּקוּ הָיוּ / כְּלֹא הָיוּ מְאַת אֲדָנִים | הָיָה / אֲרִי דְּבָבָם עֲלֵי זֵידוֹנִים
הֵבִיא / אַשְׁפָּתָם בְּצִידוֹנִים | הָיִיתִי / אֲחוּיָה בְּאָב כְּשׁוּלְּחוּ מְדָנִים
הִשְׂבִּיעַנִי / זֵידוֹנִים | מַלְכִּיָּה תְּמוּר עֲדָנִים | רַבָּתִי / בעלותו אֲדוֹנִים
הָאוֹכְלִים לְמַעֲדַנִּים

אברהם, ראשון לאבות. מפגיע: מהיות מתפלל בעדנו. עיין איכ״ר פתיחתא כד: בשעה שחרב בית המקדש בא אברהם לפני הקב״ה בוכה וממרט ראש זקנו וכו׳. 19 **גם עבים חתומים**: כמו: גם את השמים חתם הקב״ת בעבים (עיין אי׳ ג: מד). **משאול** וכו׳: רומז לשבט לוי (דב׳ לג: ח). 20 **ומזכור**: השלישי במשמרות הלויה. **מכתמים**: שירים (תה׳ טז:א ועוד). **לא ען**: לא השיב. **תמים**: הקב״ה.

22 **מיתרי**: את מיתרי אהלי. וההמשך בצלעית הבאה: דרך, ר״ל: השמיד. **נשים נתלו בכחשון**: על שום בנות ציון שנתלו בהבל ובכחש. **לצללם**: להשקיעם. **בקישון**: במים רבים. בכתב היד מועתקת אחר כך המלה ׳פישון׳ ואין בידי להלמה. בכ״י קימבריג׳ מועתקת המלה בראש הטור: ׳פישון מיתרי׳ וכו׳. 23 **בקישון**: כמו: בקושי. **חלשון**: כמו: בחלשון, ברפיון. 24 **ראש וראשון**: הקב״ה. **שש שעורי רחשון**: אין בידי לפרש. ו׳שעורי׳ רומז למשמר שעורים, הרביעי במשמרות הכהונה. **בית לחשון**: שבה היה בית התפילה. 25 **כלה חך**: משובש, וצ״ל כמו בכ״י קויפמן: בה לחיך דבק לשון. 26 **דבק**: נסתתם, נשתתק. **זמר נעימנו**: כמו: נעים זמירתנו, בסמיכות הפוכה. **ומצרי**: מחמת אויבי. והוא רומז גם למשמר יצרי, הרביעי במשמרות הלויה. ובכ״י קימבריג׳: ומיצרי, ואולי הוא נכון יותר. **נמר טעמנו**: עיין יר׳ מח: יא. 27 **וידו** וכו׳: וידו של הקב״ת שהיתה עד עכשיו בעורף קמינו, היא היא המשמימה אותנו כעת. ׳וידו בעורף קמינו׳ רומז לשבט יהודה (בר׳ מט: ח). 28 **בספר מימינו**: בספר התורה, לפי שהתורה משולה למים (ב״ק יז א ועוד).

29 **ניתקו**: כמו: ניתקו והיו כלא היו. **מאת אדנים**: כינוי לבית המקדש (שמ׳ לח: כז). **ארי**: נראה לי כינוי לנבוכדנאצר, ואולי לקב״ה. ורומז גם למזל אב. **דבבם**: אויבם. **עלי זידונים**: משום חטאיהם. 30 **הביא אשפתם**: על פי איכה ג: יג. **בצידונים**: נ״ל כמו: בצידיהם. **הייתי אחויה**: שלמה וחזקה. **באב כשולחו מדנים**: כשלפתע שולחו בי מריבות בחודש אב, לקראת חורבן הבית. 31 **השביעני** וכו׳: שיעורו: משמר מלכיה האכילני חטאים במקום מעדנים, ר״ל מעשים טובים. **בעלותו**: נ״ל שצ״ל: בעלוה אדונים, על דרך הכתוב

אֵיכָה אָסַף נָע כְּשִׁכּוֹר / קִינִים תְּמוּר שִׁירִים לַעֲכוֹר
כְּנוֹפֵץ בְּרֹאשׁ גּוֹלִים בְּכוֹר / בְּלֹא הוֹן לִמְכּוֹר
עַד נְכוּרֵי בְּלֶתֶךָ וָכוֹר / לְגוֹנְנָם נָא הַיּוֹם זְכוֹר

ב׳ מגן אברהם

שׁוֹדֵד בָּכֹה תִבְכֶּה / כְּעַשׂ בּוֹ בְּצִיבְיוֹן | בִּלַּע / וְגָעָה כְּשׁוֹר וְנָם הֲזֶה צִיּוֹן
בִּלָּה / וְנָטָה קַו מִלְּהַשְׂרִיד מִצִּיּוֹן / בָּנָה / בְּעַד מְשַׁלְּמֵי בְּאִיָּר קִצְיוֹן
בְּמַחֲשַׁכִּים / בְּצֵיאָיוֹן | נָשְׁתָה בְּצָיוֹן | יָשְׁבָה / עָמוֹק בְּחֶבְיוֹן
מֵאֵלֶּה בְּנֵי צִיּוֹן
בְּנֵי לוֹעֲנֵי מַחְלָתֵינוּ | דִּמְמוּ גְּדַלְיָה מִמְּחוֹלָתֵינוּ
וְחֵטְא בֶּן סָלוּא בַּחֲלוֹתֵינוּ | רָשַׁף גַּחַלְתֵּינוּ
עַד יַטְלִיל תְּחִיָּיתֵנוּ | בְּהַר נַחֲלָתֵינוּ

ב׳ מחיה וג׳

וְכָל גָּלְתָה / לְרוֹכֵב תַּנִּים | גָּדַע / תְּאוֹמֵי דוּדָאֵי תְּאֵנִים
גָּדַר / אֲשׁוּרֶיהָ רֹאשׁ [פְּתָנִים] גַּם / סִיוָן הִבְלִיג מִזְּכּוֹר חִתּוּנִים
גָּדַר / רֹאשׁ אֵיתָנִים | מַפְגִּיעַ חִין תַּחֲנוּנִים | בָּדָד / בְּצֵל הָרִים נְתוּנִים
כִּיעֵנִים גַּם תַּנִּים

כשם שפסח אותי, כלומר חס וריחם עלי, בעת יציאת מצרים, כן יושיעם. 3 **שעם**: שעה אליהם. **ממרון**: לשון מרי. וכאן רמז למשמר יהויריב, שמושבו היה במירון. **איכה** שורש **גזעם**: יש׳ מ: כד. 5 **אסף**: ראשון למשמרות הלויה. **קינים וכו׳**: לעכור את לבנו במספד במקום להנעים לנו שירה. 6 **כנופץ**: כשהפיץ הקב״ה. **בכור**: שבט ראובן. **בלא הון למכור**: על פי תה׳ מד: יג. 7 **נכורי**: קנויי (עיין א׳ מירסקי, קריית ספר לה, עמ׳ 237). **בלתך**: הושע ג: ב. **וכור**: הוא מקביל ל׳חומר׳ שבהושע שם: שם, כפי שהראה מירסקי במאמרו הנ״ל. ור״ל: למכור בלא הון גם את אלה ששווים דמים מרובים. 8 **שודד**: ישראל. **כעש בו בצביון**: כשעשה בו הקב״ה כחפצו. **בלע**: הקב״ה. **וגעה**: ישראל השדודים. **כשור**: רומז למזל אייר. 9 **בלה**: השמיד. **ונטה קו**: ומדד. על פי איוב לח: ה. **מלהשריד מציון**: מלהותיר דבר שלא נתמצה עליו הדין. **בנה**: כנראה במשמע: העמיד, הכביד. כמו באיכה ג: ה. **משלמי באייר**: כינוי לישראל על שום שהם משלמים בחודש אייר, בפסח שני, את שהחסירו הטמאים שבהם בניסן. **קציון**: השמדה, מלשון ׳קצות עמים רבים׳ בחבקוק ב: י ועוד. 10 **בציאיון**: בזהמת השפלה. **נשתה**: כמו: נשתה לשונה של כנסת ישראל. **בציון**: בצמא. **עמוק**: רומז למשמר ידעיה שכך כינויו. **בחביון**: במסתור. 11 **מאלה בני ציון**: כשהיא עזובה מבניה. 12 **בני לועני מחלתינו**: אויבינו המרעילים את מחלתנו, וגורמים לה שתהיה קשה יותר. **דממו**: השתיקו. **גדליה**: השני במשמרות הלויה. **ממחולתינו**: כמו: ממחולנו. 13 **וחטא וכו׳**: ולפי שחטאנו בחטא זנות (במ׳ כה: יד). ו׳בן סלוא׳ רומז לשבט שמעון. **רשף נחלתינו**: הצית הקב״ה הגחלים ששרפונו.

15 **לרוכב תנים**: כינוי למצרים. **תאומי דודאי תאנים**: יר׳ כד: א. והוא כינוי לישראל. ו׳תאומי׳ רומז למזל סיון. 16 **אשוריה**: צעדיה של כנסת ישראל. **ראש פתנים**: כמו: ברוש פתנים. **גם וכו׳**: הקב״ה הבליג מלזכור לישראל את יום קבלת התורה בסיוון. ׳חתונים׳ רומז למתן תורה, על פי שיר רבה ג: יא: ׳ביום חתונתו — זה סיני׳. 17 **ראש איתנים**: את

פסוקי מגילת איכה וגם תיקון חלקי בלבד למקצת מן המערכות התימאטיות שהפייטן נזקק להן. על כן הוסיף הפייטן על קרובתו, בסופה, קינה, שהיא בחינת המשך לה,[16] ובה עיבוד של שאר פסוקי המגילה ומיצוי הנושאים שלא הספיק לטפל בהם עד תומם.

מן הקרובה הזאת הגיעו לידינו שרידים נכבדים למדי בכמה כתבי יד מן הגניזה. החשוב שבהם כ״י קויפמן 76, שמכיל את הקרובה למן חטיבתה התשיעית ועד סופה ואת הקינה המשלימה אותה. ארבע החטיבות הראשונות של הקרובה מועתקות גם בכ״י קיימבריג׳ Or. 1080 13/25;[17] החטיבה הראשונה וחלק מזו השנייה מובאים גם בכ״י ט״ש H14/36. מה שנמצא לנו מן הקרובה, כנ״ל, פרסמתי לפני שנים במקום אחר,[18] ברם אותה שעה, מלבד שארבע חטיבות מן הקומפוזיציה לא היו תחת ידי כלל, גם נאלצתי להדיר את החטיבות האחרונות על פי כתב יד בודד, פגום ומטושטש; הרבה קטעים חשובים של הקרובה נשארו בלי פיענוח או פוענחו ופורשו שלא כהלכה. כעת זכיתי שנתגלגל לידי העתק נוסף של הקרובה בכ״י ט״ש ס״ח 101.54, ובו השלמת החטיבות החסרות ונוסח על פי רוב מתוקן יותר של הקטעים שההדרתים, כנזכר לעיל, על פי כ״י קויפמן. כתב היד הזה מכיל 4 דפים רצופים והקרובה מועתקת בו החל כמעט מראש החטיבה השלישית (ט׳ 15 להלן; המלים הראשונות בכה״י הן ׳דודאי תאנים׳), וכלה בראשית קינת ההשלמה שלאחר הקרובה; הריני מפרסם להלן את הקרובה כולה, על פי כל כתבי היד הידועים לנו ממנה עד היום. כמה פיסקאות מן הקומופוזיציה נותרו מעורפלות גם בנוסח זה, ברם מכל מקום היא עומדת לפנינו בשיעור קומתה המלאה והמופלאה, ויש להניח שחוקרים יצליחו לפרשה גם במקומות שנותרו סתומים.

את הטכסט אני נותן בהעתקה נאמנה, על פי המקורות; הניקוד הוא שלי.

יח לט׳ באב יהפך לשמחה

אָהֳלִי אֵיכָה / בְּשֶׁלִּי הֻוזְעָם | אֵיכָה / בּוֹ הִנְבִּיךְ טְלָאָיו רוֹעָם

אֲנִי / יָזַמְתִּי עֲדֵי צוּר מְשַׁעְשְׁעָם / אוֹתִי / כְּפָסַח בְּנִיסָן כֵּן יוֹשִׁיעָם

אַךְ / לֹא שָׁעָם | מִמְּרוֹן רִשְׁעָם | אֵיכָה / שׁוֹרֵשׁ גִּזְעָם

אֵיכָה יוֹעַם

1 אהלי: בית המקדש. עיין פסיקתא רבתי דף קלד ב: אין אהל אלא בית המקדש, שנאמר (תה׳ עח: י) אהל שכן באדם. בשלי: בגללי. בו: באוהל. הנביך: הסעיר, מלשון ׳הבאת עד נבכי ים׳ (איוב לח: טז) שתרגומו ׳עד מערבלי סגור ימא׳. טלאיו: כינוי לישראל. וכאן רמז למזל טלה שהוא מזל ניסן. רועם: כינוי לקב״ה. 2 אני יזמתי עדי: אמרתי בלבי. צור משעשעם: הקב״ה שישראל הם בני שעשועים שלו (יר׳ לא: יט, יש׳ ה: ז). אותי וכו׳:

הקלירי לט״ב כבר צויינו על ידי צונץ בספרו *Literaturgeschichte* עמ׳ 72 כ־ "Vierzehn Gebete", כל׳ ׳תפילות ארבע עשרה.׳

16 כך נהג הפייטן גם בקרובה הראשונה שלו (השלמתה של קרובה זו, שתחילתה ׳שבת סורו מני שמעוני עוכרי׳ [ש. 337] נתקבלה, כמפורסם, במנהגות אשכנז, וכמובן גם במנהג רומי) וגם בקרובתו הרביעית. השלמתה של זו (׳נחמו נחמו סובא רובע׳) נדפסה יחד עם שריד מן הקרובה, במאמרי שצויין לעיל בהערה 8, עמ׳ לה ואילך.

17 כ״י זה צויין במאמרי הנ״ל בסיני סב עמ׳ כ בסימונו הישן: Or. 1084/77.

18 עיין במסומן בהערה הקודמת, שם.

עשויות שמונה טורים (או צלעיות) מחורזים, והן כלולות בשתי מסגרות מקראיות: בראשה של כל סטרופה ראשית עומדת תיבה מתוך הפסוק 'אהלי שודד וכל מיתרי ניתקו' (יר' י:כ) ואילו בראש רוב טוריה עומדות התחלות פסוקים ממגילת איכה: בראש טורה הראשון (אחרי תיבה מן הפסוק הנ"ל) עומדת מלת פתיחה של פסוק מתוך איכה א' (כסדר הפסוקים), בראש טורה השני עומדת מלת פתיחה של פסוק מתוך איכה ב (כנ"ל), בראש טורה השלישי, הרביעי והחמישי — מלות פתיחה של פסוקים מאיכה ג (כנ"ל), טורה השישי חופשי, טורה השביעי פותח בתיבה מתוך איכה א:א (כסדר המלים) וטורה השמיני מסתיים או עומד על פתיחה של פסוק מאיכה ד (כסדר הפסוקים). הסטרופה המשנית עומדת על ששה טורים (או צלעיות) ופותחת במלת שרשור; במלה שלאחריה חותם הפייטן את שמו ('אלעזר בירבי קליר'), טורה החמישי פותח במלת הקבע 'עד' וטורה האחרון מסתיים בתיבת פתיחה של פסוק מאיכה ה'. נמצא כל פסוקי מגילת איכה קלוטים בטורי הקומפוזיציה, בין כמלות פתיחה לטורים ובין כמלות סיום להם. מלבד זאת מתפייטים בקרובה שני פסוקי מקרא מלה במלה, והם ירמיה י:כ, שתיבותיו באות בראשי החטיבות, ואיכה א:א שתיבותיו באות כמלות פתיחה לכל טור (או צלע) שביעי בסטרופות הראשיות של החטיבות השונות.

סבוך לא פחות ההרכב התימאטי של הקרובה. בסטרופות הראשיות מזכיר הפייטן בזה אחר זה, במפורש או ברמז, מזל ממזלות החדשים (בכל טור 2), חדש מחדשי השנה (ט' 4) ומשמר ממשמרות הכהונה (ט' 6). בכל סטרופה משנית מזכיר הפייטן כהנ"ל משמר ממשמרות הלוייה (בט' 1, 2 או 3) ושבט משבטי ישראל (בט' 2, 3 או 4).לא רחוקה מקרובתנו לסיבוך קרובתו הראשונה של הקלירי, שפתיחתה 'זכור איכה אנו,' אבל היא בכל זאת פשוטה יותר.[12] הקומפוזיציה שלנו מופלאה במיוחד משום הזכרתם של משמרות הלויה, כי לא מצאנו את אלה מתפייטים אלא בקינה אחת נוספת, מאוחרת הרבה יותר, של רבנו סעדיה גאון;[13] גם הזכרת משמרות הכהונה בשמם, בכינויים או בשם מקומם, ראויה לתשומת לב: כידוע, נזכרים משמרות הכהונה בפייטנות הקדומה לעתים קרובות למדי, ומקומם בתפילה ובפיוט כבר שימש נושא לכמה מחקרים מעניינים.[14]

הקרובה שתיארנוה בזה קרובת י"ד היא, ר"ל אין היא מקיפה אלא ארבע עשרה מתוך שמונה עשרה הברכות של העמידה,[15] ולפיכך אין בה אלא עיבוד חלקי של

בנושא השרשור עיין להלן בגוף מאמר זה פרק ג. השרשור בקרובות הי"ח המונומנטאליות רומז בלי ספק, לדעתי, לשיתופה של מקהלה בהקראת החטיבות.

12 השוואה בין מבנה קרובה זו לבין מבנה הקרובה 'זכור איכה אנו' עיין במאמרי שצויין לעיל בהערה 8, סיני סב עמ' יז ואילך.

13 היא הקינה 'אני נתקתי מוסרת,' סידור רס"ג עמ' תי"ד.

14 עיין במאמרי 'שבעתות חדשות על משמרות הכהונה לפייטן רבי פינחס,' סיני סא (תשכ"ז) עמ' ל ובספרות המובאת שם בהערות. ועיין גם במאמרי 'לעניין המשמרות בפיוטים,' סיני סב (תשכ"ח) עמ' יג ואילך ושם עמ' קמב ואילך, וכן במאמרי 'פיוט ליניי חזן על משמרות הכהנים,' סיני סד (תשכ"ט) עמ' קעו ואילך, ובספרות המצויינת שם. לענין תפקידם של המשמרות בליטורגיה העברית חשובים במיוחד הממצאים שנדפסו בידי מ' זולאי, 'לתולדות הפיוט בארץ ישראל,' ידיעות המכון לחקר השירה העברית ה, (ברלין—ירושלים תרצ"ט) עמ' קיא, ועל ידי מ' אבי־יונה, 'כתובות מקיסריה על כ"ד המשמרות,' ארץ ישראל ז (ספר ל"א מאיר) ירושלים תשכ"ד, עמ' 24 ואילך. ועיין גם המחקרים הנזכרים שם. והשווה כעת גם תרביץ מב (תשל"ג), עמ' 302 ואילך.

15 על טיפוס זה של קרובה ועל המשתמע ממנו הערתי במאמריי הנזכרים לעיל בהערות 8 ו־14 (סיני סד, עמ' קעו ואילך) וכן בזה המובא בהערה 6. שתי הקרובות הראשונות של

הארבע עשרה, היא המכוונת כנגד ברכת ״אלהי דוד ובונה ירושלים.״[5] הקרובה משמשת מסגרת חיצונית וכלי קיבול לקינה: בפייטנות הארץ ישראלית הקדומה לא הוכרה זכות קיום לפיוט הבודד אלא אם כן הוא נמצא משולב וכלול בגופה של קומפוזיציה גדולה, שנועדה לכסות בשיעור קומה מלא של תפילה שטח ליטורגי כלשהו.[6]

חמש קרובות תשעה באב של הקלירי נמצאות בידינו, במלואן או בחלקן ומספר זה מפתיע אף הוא. שתים מהן היו בשימושם של מנהגים אירופיים במשך כל שנות ימי הביניים[7] ושרידים של שלוש קרובות נוספות נתגלו לנו בגניזה.[8] כל קרובות הט״ב של הקלירי קרובות מונומנטאליות הן,[9] ואף הפשוטה שבהן נראה ממנה בעליל שהפייטן לא ראה בה מסגרת חיצונית סכימאטית בלבד למחזורי קינותיו. אלא יחידה פיוטית שראויה לעיבוד מלוטש. כל שכן הסובכות שבהן, שהן, מבחינת תבניתן הסטרופית והרכבן התימאטי, המופלאות, המרכבות והמסולסלות שביצירותיו.[10]

מופלאה מכל קרובות הקלירי לט״ב היא זו שתחילתה ׳אהלי איכה בשלי הוזעם.׳ כמדומה שאין עוד יצירה קומפוזיציונית, לא בפייטנות הקדומה ולא בזו המאוחרת, שתבניתה סבוכה יותר. חטיבותיה של קרובה זו מרכבות כל אחת משתי סטרופות, אחת ראשית ואחת משנית, והן קשורות זו בזו בשרשור ׳מדולג.׳[11] המחרוזות הראשיות

5 הקינה היא סוג פיוטי ארץ ישראלי מובהק, שלא היה נהוג, כנראה, במנהגות חו״ל. במנהגות בבל נאמרו גם בתשעה באב, כמו בכל שאר הצומות, סליחות, בברכה הששית של העמידה. ההבדלה בין שני הסוגים יש לה השלכות תימאטיות חשובות. פיוטי ט״ב הארץ ישראליים צמודים זה לזה במחרוזות ביניים (׳שלשלות׳ או ׳סלסלות׳ בכתבי היד) ואילו פיוטי ט״ב הבבליים כוונו להסתיים באמירתן של י״ג מידות הרחמים, כדין הסליחות. אף דבר זה השפיע הרבה על צביון הפיוטים ועל תבניותיהם. עיין לעניין זה גם במאמרי ׳קרובה חמישית לתשעה באב מאת ר׳ אלעזר בירבי קליר,׳ סיני סג (תשכ״ח) עמ׳ לג, הערה 7. במנהגות בבל אפשר שלא ראו חובה בשילובן של סליחות ט״ב במסגרתן של קרובות. חכמי בבל שהתנגדו לפייטנות לא התיחסו בשלילה, כנראה, אלא לסוגי הפיוט הקומפוזיציוניים שנועדו ליטול מקומן של תפילות הקבע אבל חייבו בלי ספק אמירתן של סליחות בימות צום, של הושענות בסוכות. של סדרי עבודה (וסליחות) בימי כיפור וכל כיו״ב. לפיכך גם כלל רס״ג פיוטים מסוג זה בסידורו הגדול.

6 עיין בעניין זה במאמרי ׳עיונים בבעיית תפקידם הליטורגי של סוגי הפיוט הקדום,׳ תרביץ מ (תשל״א) עמ׳ 41 ואילך.

7 הכוונה לקרובה הראשונה ׳זכור איכה אנו שפתינו׳ (ז. 108) שנתקבלה למנהגות איטליה ורומניאה ולקרובה השנייה ׳אאביך ביום מבך׳ (א. 3) שהיתה נהוגה באשכנז. שתי הקרובות נדפסו כעת במהדורה מדעית על ידי ד׳ גולדשמידט, בנספח למהדורת הקינות שלו, ירושלים תשכ״ח, עמ׳ קמז ואילך.

8 הכוונה לקרובה השלישית ׳אהלי איכה בשלי הוזעם׳ ולרביעית ׳. . . ישראל כמאז ינחמנו׳ שקטעים מהן נדפסו במאמרי ׳לעניין המשמרות בפיוטים,׳ סיני סב (תשכ״ח), עמ׳ יג ואילך, ולקרובה החמישית ׳. . . יעיב בדאיית עיט׳ שנדפסה על ידי במאמרי הנזכר לעיל בהערה 5, סיני סג (תשכ״ח) עמ׳ לז ואילך.

9 אני קורא בשם זה לקרובות הי״ח (והי״ד) שחטיבותיהן מרכבות משתי סטרופות קשורות בשרשור, אחת ראשית וארוכה יותר ושנייה משנית וקצרה יותר, להבדיל מן הקרובות הפשוטות שאין בחטיבותיהן אלא סטרופה אחת או שסטרופות המשנה שלהן ריפריניות.

10 בעיקר עוררה התפלאות מוצדקת תבנית הקרובה ׳זכור איכה אנו,׳ עיין תיאורה באריכות מופלגת אצל דוידסון באוצר שלו. ועיין גם במאמרי הנזכר לעיל בהערה 8, סיני סב, עמ׳ יג ואילך.

11 ר״ל בשרשור שסומך לא על התיבה האחרונה של היחידה השירית המשתרשרת אלא על המלה שלפניה. אין זה אלא סלסול תבניתי שנועד להקנות ברק נוסף לקרובה, לפי שהשרשור הרגיל תופעה פשוטה היא בקרובות הי״ח המונומנטאליות. על חידוש נוסף

קומפוזיציות קליריות לתשעה באב

עזרא פליישר
האוניברסיטה העברית, ירושלים

[א]

תרומתו של ר׳ אלעזר בירבי קליר לעיטור מערכות התפילה של יום תשעה באב לא הוערכה עדיין במחקר, והיא, יחד עם כמה סעיפים נוספים — מרובי חשיבות אף הם — במורשתו הפייטנית של גדול משוררינו הקדומים, מן הסתומות שמחכות לפתרונן. אין ספק בגודלה ובחשיבותה של התרומה הזאת: על פי שוליה הגלויים לנו, ניתן, כמדומה, לומר, שמלבד יום הכיפורים לא זכה שום יום מימות השנה לתשומת דעת גדולה יותר מצד הפייטן מיום תשעה באב.

ריבויים המופלג של פיוטי תשעה באב של הקלירי כבר עורר את פליאתו של צונץ בשעתו [1] וממצאי הגניזה, שהוסיפו בנקודה הזאת, מאז, תוספות מרובות ומפתיעות,[2] לא רק מצדיקים אלא גם מגבירים תחושה זו בלב המעיין. ולא סוף דבר מספרם המרשים של הפיוטים, ולא סוף דבר גיוונם הרב מבחינת תבניותיהם,[3] אלא גם השפע התימאטי הרב שהשפיע הפייטן על יצירותיו אלו [4] מעמיד חלקה זו במורשתו המופלאה כחטיבה מיוחדת במינה וכעניין גדול לענות בו.

רוב פיוטי התשעה באב של הקלירי קינות הן, ר״ל פיוטים קצרים יחסית, בעלי מבנה פשוט עקרוני, שבאים לשמש הרחבות לקרובות תשעה באב בחטיבתן

1 עיין צונץ, *Die synagogale Poësie des Mittelalters*, Berlin 1855, pp. 71 ff. וכן *Literaturgeschichte der synagogalen Poësie*, Berlin 1865, pp. 47 ff. במקור אחרון זה מונה צונץ קרוב לששים קינות המיוחסות על ידו, בין בבטחון ובין בהיסוס, לקלירי. וזאת מלבד שתי קרובות הקלירי ששימשו מסגרת לקינותיו.

2 בעיית קביעת מחבריהם של פיוטי ט׳ באב קדומים בעיה סבוכה היא, לפי שאלה, בהתאם, כנראה, למסורת שנקבעה על ידי הקלירי, אינם חתומים בגופם אלא רק בסטרופות המעבר שנועדו לחבר בינותם (על אלו עיין להלן). ואולם מעתיקים מאוחרים, שהפרידו בין הקינות שנועדו מלכתחילה להיאמר יחד וסדרו אותן במחזורים שונים, השמיטו מחרוזות אלו, שינו אותן או החליפו אותן באחרות, בלתי חתומות, או חתומות בידי פייטנים מאוחרים. קינות קליריות ניתן לזהות בכל זאת בבטחון יחסי לפי סגנונן ותבניתן וכן לפי הקשרן הליטורגי. הקלירי רגיל היה לחתום בסטרופות המעבר שהועיד לגשור בין קינותיו ׳לעזר׳ (לעתים רחוקות יותר: ׳אלעזר׳). מספרן של הקינות שנראות קליריות לפי קריטריונים אלה ושלא הגיעו למנהגות האירופיים גדול יחסית. רובם לא נדפסו עדיין.

3 קינותיו של הקלירי מעמידות לפנינו, כידוע, סך גדול של מבנים סטרופיים ושפע מופלג של קישוטי תבנית, כגון מילות־קבע, ענייות, סטרופות ביניים וכיו״ב, בשימושים מגוונים ביותר. יש לזכור שמלבד פיוטי ההושענא אין בין פיוטי הקלירי יצירות שאינן נכנעות במידה זו או אחרת לחוקי תבנית קבועים, שהרי רוב יצירות הקלירי קדושתאות הן ואלו אין בהן אלא מעט חלקות שהפייטן מעצב להן תבנית כרצונו. השווה בעניין זה גם במאמרי ׳מבנים סטרופיים מעין־אזוריים בפיוט הקדום,׳ הספרות ב (תשל״א) עמ׳ 194 ואילך, ובמיוחד שם עמ׳ 205 ואילך ו־230 ואילך. בהמשך נדפסים שם בפעם הראשונה כמה קינות קליריות.

4 צונץ סוקר את הרכבן התימאטי של כמה מקינותיו של הקלירי במקורות שצויינו לעיל בהערה 1, ובמיוחד במקור השני.

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